

**DEPARTMENT OF BUILDING AND DEVELOPMENT**

**COUNTY OF LOUDOUN**

**MEMORANDUM**

DATE: October 31, 2006

TO: Mike Elabarger, Planning Project Manager

FROM: Laura Edmonds, Environmental Engineer

THROUGH: William Marsh, Environmental Review Team Leader

CC: Michael Salinas, Community Planner

**SUBJECT: ZMAP-2005-0038 The Townes at Autumn Oaks**

The Environmental Review Team (ERT) reviewed the subject application during the October 3, 2006, ERT Meeting. Our comments pertaining to the current application are as follows:

*Regarding Streams and Wetlands*

- 1) The Army Corps of Engineers issued Jurisdictional Determination #02-B0121 on September 25, 2002, confirming a wetland delineation performed by Wetland Studies and Solutions for the project. Please update Note 9 on Sheet 4 to reference the approved Jurisdictional Determination as the source of the wetlands information depicted on the plan (e.g., Jurisdictional waters and wetlands depicted on the plan were delineated by Wetlands Studies and Solutions and confirmed by Army Corps of Engineers JD #02-B0121, issued on September 25, 2002).
- 2) The existing channel that bisects the southern portion of the site has been altered, is experiencing significant bank erosion, and is currently inadequate to convey runoff through the site. The County desires to protect river and stream corridors by preserving, conserving, and restoring their water quality, flood protection, aquatic and wildlife habitat, and scenic value (Revised General Plan, Page 5-5). Therefore, staff recommends that the applicant provide a stream restoration commitment to both improve the capacity of the existing channel to adequately convey runoff and to restore the natural integrity of the stream in conjunction with the proposed development. Staff further recommends that interpretive signage describing the stream restoration project and the benefits of riparian buffers and forested wetlands be provided at appropriate locations along the proposed pedestrian trail.
- 3) Staff recommends that a commitment be provided specifying that trails proposed adjacent to the riparian corridor will be constructed of pervious material and that boardwalk crossings will be provided in areas where the trail crosses jurisdictional waters and wetlands as shown on the Concept Development Plan.

*Regarding Soils and Steep Slopes*

- 4) Please update the Soil Types table on Sheet 4 to reflect the soils identified on the property and make the following corrections:
  - Remove Mapping Unit 64B
  - Add Mapping Unit 69A
  - Update the Hydric Soil Group and Type for Mapping Unit 62B
  - Update the Type for Mapping Unit 67B
  - Update the Hydric Soil Group for Mapping Unit 79A

*Regarding Forest Resources*

- 5) Please add the location of the specimen trees identified on the property and the proposed water and sewer on the Concept Development Plan – Combined Plan (Sheet 7) to facilitate staff review and analysis of potential Tree Conservation Areas.
- 6) The Forest, Trees, and Vegetation Policies of the RGP encourage the preservation of existing vegetation (Page 5-32). Staff notes that Tree Conservation Areas are not currently identified on the plan. Staff recommends that the forested riparian corridor, existing vegetation within perimeter buffers, and specimen trees located within undisturbed areas (e.g., T4 & T5 and T13-T15) be incorporated into designated Tree Conservation Areas. Staff further recommends that Tree Conservation Areas be identified on the Concept Development Plan and that a commitment be provided consistent with the Sample Tree Conservation Area Language (attached) approved by the County Arborist to ensure the preservation of identified Tree Conservation Areas. Specific arborical treatment for the preservation of individual specimen trees should also be identified.
- 7) Staff recommends that the 6-foot tall screen fence depicted along the western property boundary be relocated in closer proximity to the proposed trail to facilitate the preservation of additional vegetation in this area. Staff further recommends that the trail location be revised as needed to facilitate the preservation of Specimen Trees T13-T15 in this area. Staff notes that Virginia Pines present in this location should be removed due to the potential for damage due to wind-throw.
- 8) Staff recommends that evergreen plantings be incorporated into the northeast corner of the development and within the open space areas located along the eastern property boundary to provide additional screening for the project and to recapture lost forest canopy.
- 9) Given the proximity of the project to the Oak Grove Baptist Church, staff recommends that the applicant consider incorporating Oak plantings from species with historic significance within community greens in conjunction with interpretive signage describing the heritage of the individual trees.

*Regarding Stormwater Management and Best Management Practices*

- 10) One Stormwater Management (SWM)/Best Management Practice (BMP) pond is currently depicted on the Concept Development Plan. Additional information is needed regarding the type of facility proposed consistent with Item K.4. of the Rezoning Checklist. Staff recommends that a wet pond, which has an increased pollutant efficiency and is more aesthetically pleasing, be used to satisfy SWM/BMP requirements. In addition, staff notes that this facility is currently located within 10 feet of a forested wetland. A minimum 50-foot riparian buffer should be preserved adjacent to the existing wetland to minimize the effect of the proposed development on water quality. In addition, the Virginia Stormwater Management Handbook recommends that trees and shrubs be located at least 25 feet beyond the toe of the embankment to improve safety and reduce long-term maintenance.

*Regarding Archaeological Resources*

- 11) Please add the locations of the two archaeological sites identified on the property (Site 44LD927 and 44LD928) to the Existing Conditions Plat and the Concept Development Plan – Combined Plan (Sheet 7). In addition, please add a note on Sheet 4 identifying the Phase 1 Archaeological Investigation completed by Thunderbird Archeological Associates in September 2002 as the source of the archaeological information depicted on the plan. Staff notes that the consultant did not recommend further work for either of the identified sites and defers to Heidi Siebentritt, Preservation Planner, for further analysis of these sites and the other archaeological resources identified on the property.

*Regarding Digital Data*

- 12) Staff is embarking on a project to map and inventory wetlands and cultural resources located within Loudoun County. We are requesting that the development community contribute digital data to this effort. Specifically, two separate digital data layers are requested, one depicting the wetland delineation confirmed by the Army Corps of Engineers (including jurisdictional waters and wetlands and the study limits) and the other locating the sites and structures identified in the Phase 1 Archaeological Survey. Loudoun County's GIS uses ESRI software and can import .DXF data. Our coordinate system is Virginia State Plane. Datum NAD 83 data is preferable, if available. Documentation on the digital data (e.g., map scale, age, etc.) is requested.

*Regarding Noise Impacts*

- 13) Please update Note 7 on Sheet 4 to remove the reference to the Airport Impact Overlay District.
- 14) Please expand Note 14 on Sheet 4 to note that the site is subject to the disclosure requirements of Section 4-1800 of the Revised 1993 Zoning Ordinance (Quarry Notification Overlay District).

*Regarding Plat Notes*

15) Please correct the typographical error "will be provided project" in Note 10 on Sheet 1.

Due to the scope of the comments provided, staff requests an opportunity to comment on the subsequent submission of this application. Please contact me if you need any additional information.

**Sample Tree Conservation Area Language**

Tree Conservation Areas. Within the areas identified on the Concept Development Plan (CDP) as "Tree Conservation Areas," the Owner shall preserve healthy trees provided, however, that trees may be removed to the extent necessary for the construction of trails and Stormwater Management Facilities that are required pursuant to the proffers and/or shown on the approved construction plans and profiles as lying within such Tree Conservation Areas and for the construction of utilities necessary for development of the Property. A minimum of eighty (80) percent of the canopy within the cumulative Tree Conservation Area depicted on the CDP will be preserved, exclusive of stands of Virginia Pine over 25 years in age. In the event that the eighty (80) percent canopy threshold cannot be achieved within the designated Tree Conservation Areas, such lost canopy will be recaptured elsewhere onsite in locations to be designated at the discretion of the Owner in consultation with the County. Boundaries of all Tree Conservation Areas shall be delineated on the record plat recorded for each section of the development.

If, during construction on the Property, it is determined by the Owner's certified arborist and/or the County that any healthy tree located within the boundaries of any of the Tree Conservation Areas described in this proffer has been damaged during construction and will not survive, then, prior to bond release on any section containing or immediately adjacent to a tree conservation area, the Owner shall remove each such tree and replace each such tree with two (2) 2½ - 3 inch caliper native, non-invasive deciduous trees. The placement of the replacement trees shall be proximate to the area of each such damaged tree so removed, or in another area as requested by the County.

The HOA documents shall include a provision that prohibits removal of trees in Tree Conservation Areas as shown on the record plat after construction has been completed by the Owner without specific permission of the County Forester except as necessary to accommodate Forest Management Techniques, performed by or recommended by a professional forester or certified arborist, that are necessary to protect or enhance the viability of the canopy. Such Management Techniques may include, without limitation, pruning and the removal of vines, invasive species, trees uprooted or damaged by extreme weather conditions, and trees or limbs that are diseased, insect-infested, dead, or are considered a hazard to life or property. The HOA documents shall clearly state that such provisions prohibiting tree removal shall not be amended by the Owner or the HOA without written approval from the County. The record plat for each portion of the Property containing a Tree Conservation Area shall contain a note stating that the removal of trees within a Tree Conservation Area is prohibited except in accordance with the Declaration of Covenants.



**DEPARTMENT OF BUILDING AND DEVELOPMENT**

**COUNTY OF LOUDOUN**

**MEMORANDUM**

DATE: September 13, 2007  
TO: Mike Elabarger, Planning Project Manager  
FROM: Laura Edmonds, Environmental Engineer  
THROUGH: William Marsh, Environmental Review Team Leader  
CC: Michael Salinas, Community Planner  
SUBJECT: **ZMAP-2005-0038 - The Townes at Autumn Oaks – 2<sup>nd</sup> Referral**

The Environmental Review Team (ERT) has reviewed the above-referenced application. Our comments pertaining to the revised application are as follows:

*Regarding streams and wetlands*

- 1) Staff acknowledges that the stormwater conveyance channel on the property was recently removed from the wetland delineation for the property and that a portion of this channel will be piped to accommodate the entrance road and adjacent green. However, given that the channel is eroding and is inadequate to convey existing runoff (see Photograph #1) and that this feature is proposed as a focal point of the development, staff recommends that the applicant commit to the following:
  - To perform a channel analysis of the existing manmade conveyance channel on the property to be submitted to the Department of Building and Development for review and approval concurrent with the first Construction Plans and Profiles or Site Plan submitted for the property,
  - To construct modifications to the channel as identified in the channel analysis that are needed to adequately convey runoff through the site and to stabilize the channel using vegetative techniques concurrent with construction of the project.
- 2) Staff notes that the wetland delineation performed for the property is due to expire on September 25, 2007 and will need to be updated prior to applying for the wetland permit needed to authorize the proposed impacts.
- 3) Staff recommends that Proffer VIII.B, "Wetlands Mitigation," be updated to reflect other recent proffers as follows:

"For any wetland and stream impacts on the Property determined to be unavoidable in conjunction with the permitting process, Applicant shall provide wetland mitigation in the following priority order: 1) onsite, 2) within the same planning policy area, and 3) within Loudoun County, subject to approval of the Army Corps of Engineers and the Virginia

Department of Environmental Quality. If no such areas are available within the County as verified by County Staff, Applicant shall be permitted to provide wetland mitigation outside of Loudoun County.”

- 4) Staff recommends that Proffer VIII.C, “Geographic Information System Information,” be updated to require the data to be submitted concurrent with the approval of the preliminary plat, as opposed to the record plat, consistent with other applications.
- 5) Please correct the typographical error “Core” to read “Army Corps” in the last sentence of Proffer IV, “Recreational Amenities and Sidewalks.” In addition, please provide a typical section clarifying the surface material planned for the proposed trail.

*Regarding Forest Resources*

- 6) Tree Save Areas have been designated on the Concept Development Plan and are addressed in Proffer VIII.A; however, the language included in the proffer is not consistent with the suggested language approved by the County Arborist (see attachment). The current proffer does not outline a minimum area to be preserved (e.g., 80 percent). In addition, the Tree Protection methods outlined in the proffer are inconsistent with County Erosion and Sediment Control Ordinance requirements (silt fence is required surrounding Tree Conservation Areas). Therefore, staff recommends that the current proffer language be replaced with the attached Sample Tree Conservation Area Language, consistent with other recently approved rezoning applications (e.g., ZMAP-2005-0013 Marbury, approved September 5, 2006).
- 7) Staff notes that there is extensive Virginia Pine within Cover Type A (Sheet 4), encompassing half of the Tree Save Area identified within the community green. Given the need to remove Virginia Pine from to avoid windthrow and the small size of the proposed Tree Save Area, approximately 0.5 acres, staff recommends that the applicant consult with the project arborist regarding the viability of this portion of the proposed Tree Save Area.
- 8) Staff recommends that the trail alignment in the northwest corner of the property be adjusted to avoid impacts to the critical root zone of offsite Specimen Trees 13, 14, and 15.
- 9) Given the proximity of the project to Oak Grove Baptist Church, staff recommends that the applicant commit to using plant stock derived from historic oaks or other historic trees available from the American Forests Historic Tree Nursery Store (<http://www.historictrees.org/store.html>) or other historic nurseries for shade trees planted surrounding the landscaped greens. Each historic tree planted should be accompanied by signage explaining the historical significance of the tree.

*Regarding stormwater management*

- 10) Two possible Stormwater Management (SWM)/Best Management Practice (BMP) ponds are currently depicted on the Concept Development Plan (CDP). Note 24 on Sheet 6 indicates that the ponds may be either wet or dry. The two ponds are currently located within 25 feet of the existing forested wetland and one pond encroaches into a portion of the wetland. The Virginia Stormwater Management Handbook recommends that all woody vegetation be removed within 25-feet of any pond embankment (Minimum Standard 3.01, Earthen

Embankment); therefore, all vegetation adjacent to the delineated wetland will need to be removed. Given the extent of the impacts adjacent to this wetland, staff encourages the applicant to consider connecting the two facilities across a portion of the wetland to enable this facility to be constructed as a wet pond with greater pollutant removal efficiency. The provision of one facility, as opposed to two, is also an advantage in terms of ongoing maintenance, which will be performed by the County.

- 11) A dry pond constructed with gabion basket walls (see Photograph #2) is currently located just upstream of the project North of Trefoil Lane in the Grovewood subdivision. The County is responsible for ongoing maintenance of this facility, which has proven difficult due to its design. Therefore, staff recommends that the applicant consider coordinating with the Department of General Services and the Grovewood Homeowner's Association to remove this pond and provide the necessary stormwater treatment in conjunction with the proposed project. Removal of the facility would improve water quality, ease the maintenance burden on the County, remove an unsightly feature from an existing development, and provide an opportunity to create a landscaped green joining the two communities.

*Regarding the Airport Impact Overlay District*

- 12) The southwest corner of the project falls within the Ldn-60 1-mile airport noise buffer, as depicted on the plans. Staff recommends that a note be added to Sheets 4 and 6 indicating that the property falls within the Ldn-60 1-mile buffer, which requires disclosure to prospective purchasers that they are located within an area that will be impacted by aircraft overflights and aircraft noise in accordance with Section 4-1400 of the 1993 Revised Zoning Ordinance.

*Regarding the Quarry Notification Overlay District*

- 13) Note 14 on Sheet 4 and Note 21 on Sheet 6 acknowledge that a portion of the property is located within the Quarry Notification Overlay District requiring disclosure to prospective purchasers. A total of 50 of the 179 townhouse units are located within the proposed Quarry Notification Overlay District. Staff recommends that the number of units located within the Quarry Notification Overlay District be significantly reduced to avoid exposure of the future residents of the subdivision to the effects of noise and vibration associated with operation of the quarry.

*Regarding archaeological resources*

- 14) Staff recommends that Site 44LD927 be identified on the Existing Conditions Plat (Sheet 4) and the CDP Combined Plan (Sheet 9). Staff further recommends that Note 15 on Sheet 4 be updated to indicate that both sites pertain to this rezoning. Staff defers to Heidi Siebentritt, Preservation Planner, for further analysis of the archeological resources identified on the property.

Due to the scope of the comments provided, staff requests an opportunity to comment on the subsequent submission of this application. Please contact me if you need any additional information.

Photograph #1: Existing eroding manmade stormwater conveyance channel



Photograph #2: Existing gabion dry pond serving the adjacent Grovewood Subdivision



### **Sample Tree Conservation Area Language**

Tree Conservation Areas. Within the areas identified on the Concept Development Plan (CDP) as "Tree Conservation Areas," the Owner shall preserve healthy trees provided, however, that trees may be removed to the extent necessary for the construction of trails and Stormwater Management Facilities that are required pursuant to the proffers and/or shown on the approved construction plans and profiles as lying within such Tree Conservation Areas and for the construction of utilities necessary for development of the Property. A minimum of eighty (80) percent of the canopy within the cumulative Tree Conservation Area depicted on the CDP will be preserved, exclusive of stands of Virginia Pine over 25 years in age. In the event that the eighty (80) percent canopy threshold cannot be achieved within the designated Tree Conservation Areas, such lost canopy will be recaptured elsewhere onsite in locations to be designated at the discretion of the Owner in consultation with the County. Boundaries of all Tree Conservation Areas shall be delineated on the record plat recorded for each section of the development.

If, during construction on the Property, it is determined by the Owner's certified arborist and/or the County that any healthy tree located within the boundaries of any of the Tree Conservation Areas described in this proffer has been damaged during construction and will not survive, then, prior to bond release on any section containing or immediately adjacent to a tree conservation area, the Owner shall remove each such tree and replace each such tree with two (2) 2½ - 3 inch caliper native, non-invasive deciduous trees. The placement of the replacement trees shall be proximate to the area of each such damaged tree so removed, or in another area as requested by the County.

The HOA documents shall include a provision that prohibits removal of trees in Tree Conservation Areas as shown on the record plat after construction has been completed by the Owner without specific permission of the County Forester except as necessary to accommodate Forest Management Techniques, performed by or recommended by a professional forester or certified arborist, that are necessary to protect or enhance the viability of the canopy. Such Management Techniques may include, without limitation, pruning and the removal of vines, invasive species, trees uprooted or damaged by extreme weather conditions, and trees or limbs that are diseased, insect-infested, dead, or are considered a hazard to life or property. The HOA documents shall clearly state that such provisions prohibiting tree removal shall not be amended by the Owner or the HOA without written approval from the County. The record plat for each portion of the Property containing a Tree Conservation Area shall contain a note stating that the removal of trees within a Tree Conservation Area is prohibited except in accordance with the Declaration of Covenants.

COUNTY OF LOUDOUN  
DEPARTMENT OF BUILDING AND DEVELOPMENT  
MEMORANDUM

**DATE:** December 6, 2006

**TO:** Mike Elabarger, Project Manager, Department of Planning

**FROM:** Val Thomas, Planner, Zoning Administration

**THROUGH:** Mark Stultz, Assistant Zoning Administrator

**CASE NUMBER AND NAME:** ZMAP 2005-0038; The Townes at Autumn Oaks; **1st Referral**

**TAX/MAP PARCEL NUMBERS:** 034-40-3610, 034-40-6958, 034-40-8307; 95/22, 95/21, 95/25

**I. APPLICATION SUMMARY:**

Building and Development Zoning Staff has reviewed the above referenced rezoning (ZMAP) application for conformance with the applicable requirements of the *Revised 1993 Loudoun County Zoning Ordinance* ("the Ordinance"). The applicant, ("Loudoun Reserve LC"), seeks approval to rezone approximately 18 acres from R-1 (Residential-1) to PD-H6 (Planned Development-Housing). The PD-H6 district is proposed to be administered as R-8 (Single Family Residential). to allow for development of up to 132 single-family attached homes including 17 affordable dwelling units. In conjunction with this application, the Applicant is requesting approval of zoning ordinance modifications to modify requirements for required common open space and building height. The proposed development consists of three parcels that are generally located on the north side of Old Ox Road (Route 606), west of Oakgrove Road and south of the Washington and Old Dominion Trail.

The materials submitted for review of the application consist of: (1) Information Sheet dated August 18, 2006; (2) Statement of Justification, not dated; (3) Rezoning Plan set dated June 22, 2006 revised through July 21, 2006, consisting of (a) Vicinity Map/Cover Sheet, (b) Context Map, (c) Zoning Plat, (d) Existing Conditions & Green Infrastructure Map, (e) Illustrative, (f) CDP-Land Use, Open Space & Traffic Plan, and (g) CDP-Combined Plan.

Based upon a review of the application, Zoning Staff offers the following comments:

**II. CONFORMANCE WITH §6-1211 ZONING MAP AMENDMENTS**

This section of the Ordinance requires the Planning Commission to give consideration to certain criteria, for which Zoning has the following comments. Unless the factor is

specifically addressed below, Zoning defers to the appropriate County or State Agency for comment:

1. SECTION 6-1211(E)4 - *Whether adequate utility, sewer and water, transportation, school and other facilities exist or can be provided to serve the uses that would be permitted on the Property if it were rezoned* - Staff notes that the proposed increased density will increase school sizes, affect traffic volume and other infrastructure in the area. Staff asks that the Applicant address this, and defers to Community Planning and OTS (Office of Transportation) for comment on this. Further, Staff defers to other referral agencies such as Loudoun County School Board, Library Services, Parks and Recreation to comment on the adequacy of schools and other facilities for the development.
2. SECTION 6-1211(E)7 - *The impact that the uses that would be permitted if the property were rezoned will have upon the volume of vehicular and pedestrian traffic and traffic safety in the vicinity and whether the proposed rezoning uses sufficient measures to mitigate the impact of through construction traffic on existing neighborhoods and school areas* - It is noted that increasing the density through the rezoning process to allow up to 132 residential units to be built on the property instead of the 17 residential units permitted by right will increase the volume of traffic in the vicinity.

The applicant's Statement of Justification (page 2) specifies that access to the development will be provided at Trefoil Lane and Grammercy Lane along the eastern edge of the property. Due to the location of the site, all construction traffic will access the property through the existing Grovewood development via the mentioned Lanes. Staff would therefore recommend more specific measures to mitigate the impact of construction traffic on the surrounding area. Limiting the hours during which construction traffic may enter and exit the site is one measure. The applicant should also address how construction traffic will enter and exit the property during construction. Staff would recommend that an on-site roadway be constructed prior to any land disturbing activities. A provision for such roadway should be included in the applicant's proffer statement.

Zoning Staff further defers to OTS and VDOT for comments on the impact of the rezoning proposal on the volume of vehicular and pedestrian traffic and traffic safety in the vicinity.

3. SECTION 6-1211(E)8 - *Whether a reasonable viable economic use of the Property exists under the current zoning.* - The Applicant could potentially built up to 17 residential units as a by-right development.
4. SECTION 6-1211(E)9 - *The effect of the proposed rezoning on environmentally sensitive land or natural features, wildlife habitat, vegetation, water quality and air quality.* The site does not contain any floodplain, but has areas of hydric soils and wetlands. The requirements of the U.S. Army Corps of Engineers will need to be

met with regard to wetlands. Zoning encourages the preservation of all existing wetlands and riparian corridors whenever possible. The property also has areas of existing tree cover that includes mixed hardwood, Virginia Pine and Bottomland hardwood, and Staff encourages utilization of existing vegetation when providing any required planting. Staff recommends that the Applicant identify areas of existing vegetation that will be preserved, and show such areas on a proffered plan.

5. SECTION 6-1211(E)12 - *Whether the proposed rezoning considers the current and future requirements of the communities to land for various purposes as determined by population and economic study* – Staff questions if the Applicant has looked at the requirements of the community and surrounding areas for the need and adequacy of commercial, business and office land in the area as opposed to residential units. The Applicant has noted in the Statement of Justification (page 6) that the proposed application is a response to the issue of housing availability and affordability in the County. Staff defers to Community Planning and Housing Services to comment on this.
6. SECTION 6-1211(E)15 - *The effect of the proposed rezoning to provide moderate housing by enhancing opportunities for all qualified residents of Loudoun County.* – The Applicant is proposing to provide 17 single family attached units (Sheet 6 of the rezoning plan set). See Part V of this referral for comments.

### **III. CONFORMANCE WITH PLANNED DEVELOPMENT-HOUSING (PD-H) DISTRICT (§4-100)**

1. It is noted that the Applicant is proposing single-family attached residential units only, with no supporting non-residential uses or other residential unit types. Pursuant to Section 4-101 of the Ordinance, the Planned Development-Housing district is established to provide for a variety of single and multi-family housing types in neighborhood settings plus supporting non-residential uses in a planned environment fostering a strong sense of community. As noted in earlier zoning referral comments with regard to the Comprehensive Plan Amendment application, CPAM 2004-0007, Pearson Reserve, Staff believes that the most appropriate zoning district to achieve the proposed density and dwelling type is the R-8 district, in accordance with Sections 3-500 and 7-800 of the Ordinance. Therefore, Staff recommends that the property be rezoned to this district.
2. Pursuant to Section 4-102, a PD-H6 district, when mapped, shall be no less than twenty-five (25) acres. The proposed application only contains 17.89 acres. Therefore, a modification of this section is required to allow the district to be less than 25 acres. When requesting the modification, provide a justification and explain how such modification to the existing regulation will achieve an innovative design, improve upon the existing regulations, or otherwise exceed the public purpose of the existing regulations.



3. It is noted that the Applicant has not addressed the four 'timings of development' criteria required by Section 4-103 of the Zoning Ordinance.
4. Zoning defers to the Office of Transportation Services (OTS) to determine if principal vehicular access points are designed to encourage smooth traffic flow with controlled turning movements and minimum hazards to vehicular or pedestrian traffic [§ 4-109(A)].
5. Section 4-109(C) – Depict and label the required Type 2 Buffer Yard on the Concept Development Plan (CDP). It is noted that the Applicant has requested a modification of this section. See part VII of this referral for comments.
6. Please note the requirement of Section 4-109(B) regarding impediments to visibility within the visibility triangle required in Section 5-300(B) or VDOT standard, whichever is greater.
7. The Applicant has requested a modification of Section 4-109(E) to permit maximum building heights of specific units on the eastern edge of the Property adjacent to Crown Alley and on the northeastern edge of the Property adjacent to vacant land to cross through the imaginary plane. See Section VII for comments on the zoning modification.
8. Include a note on the CDP stating that residences to be served by private roads shall be subject to a recorded covenant expressly requiring private maintenance of such road in perpetuity and the establishment, commencing with the initial record plat, of a reserve fund for repairs to such road. In addition, please note that the record plat and protective covenants for such development shall expressly state that the County and VDOT have no, and will have no, responsibility for the maintenance, repair, or replacement of private roads. Further, please note that sales brochures or other literature and documents provided by the seller of lots served by such private roads shall include information regarding responsibility for maintenance, repair, replacement, and covenants pertaining to such lots including a statement that the County has no, and will have no, responsibility for the maintenance, repair, or replacement of private roads (Section 4-110(B)).
9. Demonstrate that streets, drives, parking and service areas provide immediate, safe and convenient access and circulation for dwelling units and project facilities and for service and emergency vehicles including fire fighting equipment, furniture moving vans, fuel trucks, garbage collection, deliveries, and snow removal in accordance with Section 4-110(C).
10. Pursuant to Section 4-110 (F), ways shall be provided to all dwelling units, project facilities and principal off-site destinations. Access ways to be used by children as routes to school or other destinations shall be so located and safeguarded as to minimize contacts with automotive traffic. The Applicant should demonstrate compliance with this section of the Ordinance.

**IV. CONFORMANCE WITH R-8, SINGLE FAMILY RESIDENTIAL DISTRICT (§7-800) & (§3-500)**

The rezoning plan set should state in the Tabulation Sheet or Notes Section, that the development will be developed in accord with all regulations for the R-8 Zoning Districts of the *Revised 1993 Loudoun County Zoning Ordinance*. All subsequent Subdivision Plans or Site Plans must show how the R-8 zoning district requirements are met.

1. Pursuant to Section 3-502, the district shall be located with pedestrian linkages to nearby established or planned employment centers, shopping or other community support services. Demonstrate conformance with this section of the Ordinance.
2. Pursuant to Section 7-801, the maximum permitted density is 9.6 dwelling units per acre. Sheet 6 of the rezoning plan depicts a permitted maximum density of 7.2 dwelling units per acre while Sheet 2 of the Statement of Justification noted that the proposed density is 7.16 dwelling units per acre. Correct/clarify this.
3. Section 3-508(B), Building Height –A modification of this Section is required in addition to the modification request for building height in the PD-H district. However, it is noted that Sheet 6 of the rezoning plan depicts a maximum building height of 35 feet. Please correct/clarify this.
4. Pursuant to Section 3-508(C), no one structure shall contain more than 8 dwelling units. Provide a note to this effect on the proposed CDP.
5. The Applicant must demonstrate that active recreation space is accessible to all residents by means of internal pedestrian walkways (§ 7-800(E)).

**V. CONFORMANCE WITH ARTICLE VII REGULATIONS, AFFORDABLE DWELLING UNITS**

Per Article VII of the Zoning Ordinance, the requirements of the Affordable Dwelling Unit Program shall apply to any site, or portion thereof, at one location which is (a) served by public water and sewer, and (b) the subject of an application for rezoning, special exception, site plan or preliminary subdivision which yields, as submitted by the applicant, fifty (50) or more dwelling units at an equivalent density greater than one unit per gross acre.

Per § 7-103, the Applicant is required to provide 12.5% affordable dwelling units and could avail of a 20% bonus density for single family detached and single family attached units (§ 7-103(A)). The Application proposes a total of 132 single family attached units to include 17 affordable dwelling units on approximately 17.89 acres.

The Applicant must note that Affordable dwelling units shall be of a building type and of an architectural style compatible with residential units permitted within the zoning

district and interspersed among market rate units in the proposed development.

## **VI. CONFORMANCE WITH ZONING OVERLAY DISTRICT REGULATIONS**

### **1. SECTION 4-1800, Quarry Notification (QN) Overlay District**

The property is located within the Quarry Notification Overlay District, and as such must meet the requirements of Section 4-1800 of the Zoning Ordinance. Also §4-1804 Disclosure states: "...the owner shall disclose in writing to all prospective purchasers that they are located within an area that may be impacted by quarry operations and blasting. Such notification will be accomplished by inclusion of this information in all sales contracts, brochures and promotional documents, including the Illustrative Site Plan(s) on display within any sales related office(s), as well as in homeowner association documents, and displayed on all subdivision and site plans, and within all Deeds of Conveyance." Provide a note to this effect.

### **2. SECTION 4-1400 AIRPORT IMPACT (AI) OVRELAY DISTRICT**

The Applicant states that the property lies within the Airport Impact (AI) Overlay District (Note # 7, Sheet 4). However, County records indicate that the property lies outside the limits of the AI Overlay District. Clarify.

## **VII. CONFORMANCE WITH SECTION 6-1500 REZONING TO PLANNED DEVELOPMENT (PD) DISTRICTS**

1. **Section 6-1502, Purpose** - Staff defers to Comprehensive Planning to determine if the design of the proposed development promotes achievement of the stated purposes of the Comprehensive Plan and is consistent with the Revised General Plan.

2. **Section 6-1504, Modifications** - The Applicant has proposed zoning modifications, pursuant to this section of the ordinance. It should be noted that no modification shall be approved unless the Board of Supervisors finds that such modification to the regulations will achieve an innovative design, improve upon the existing regulations, or otherwise exceed the public purpose of the existing regulations. No modification will be granted for the primary purpose of achieving the maximum density on a site. An application for modification shall include materials demonstrating how the modification will be used in the design of the project. The proposed modifications requested are as follows:

- (1) **R-8 Minimum Buffer Modification, § 3-509(C)**, *A permanent common open space buffer of fifty (50) feet in depth with a Category 2 Buffer Yard (Section 5-1414(B)) shall be provided where a development adjoins an existing or planned residential district, land bay or development which has a minimum allowable lot size of 6,000*

*square feet or greater. Such buffer area may be included in open space calculations.*

**PD-H District Site Planning – External Relationships, § 4-109(C),** *Where residential uses in a PD-H district adjoin a single-family residential, agricultural, or residential district or land bay allowing residential uses, or a commercially zoned development approved subject to proffers prior to adoption of this ordinance, the development shall provide for either:*

- (1) Single family dwellings on minimum lots of (20,000) square feet or greater, exclusive of major floodplain, along such perimeter; or,*
- (2) A permanent open space buffer along such perimeter at least fifty (50) feet in width, landscaped with a Type 2 Buffer Yard.*

**PD-H District Site Planning – Internal Relationships, § 4-110(I),** *Where residential uses in a PD-H district adjoin a single-family residential, agricultural, residential district or land bay allowing residential uses, the development shall provide for either:*

- (1) Single family dwellings on minimum lots of (20,000) square feet or greater, exclusive of major floodplain, along such perimeter; or,*
- (2) A permanent open space buffer along such perimeter at least fifty (50) feet in width, landscaped with a Type 2 Buffer Yard.*

**Proposed Modification** – The Applicant has requested a modification to reduce the required permanent common open space to less than 50 feet. This reduction is specifically requested on the eastern edge of the property, adjacent to Crown Alley and on the northeastern edge of the Property adjacent to vacant residentially zoned land.

**Applicant's Justification** – The proposed layout orients residential development to the east allowing the provision of an open space buffer on the western boundary of the property which far exceeds the requirement. This assists in the preservation of existing vegetation and along with the provision of screening, creates a physical barrier to the Townes at Autumn Oaks and helping the resistance of the residential rezoning and non-residential land to the west. This orientation has prevented the provision of the full requirement of the open space buffer on sections of the eastern edge of the property.

The Applicant states that units proposed on the eastern edge of the property have been carefully positioned adjacent to public open space on neighboring properties. By positioning the community closer to the residential development to the east, the Applicant can create synergy with this adjacent community while preserving good existing tree cover along the western property boundary, adjacent to the non-residentially zoned property.

**Staff comment** – Staff notes that a modification of Section 4-110(I) is not required as that section specifically relates to the internal relationship of land bays or zoning

districts within the proposed PD-H district. As this proposal is for one zoning district (PD-H6), administered as one district (R-8), and one land bay, a modification of this section does not apply. Please remove this section from the modification request.

It is not clear to Staff as to the extent of the modification and the proposed width of the reduced buffer. Staff asks that the Applicant depict the width of the reduced buffer, the limits of the modification request on the CDP, or, on a separate sheet. Staff notes the provision of large amounts of open space strategically placed through the development, and the Applicant's intent to preserve the existing vegetation on the southern portion in and around the areas of wetlands as well as on the western portion adjacent to the existing powerline. Staff asks that the existing vegetation to be preserved is depicted and labeled on the CDP and included in the proffer language, and that the Applicant note the additional amount of open space provided in addition to the required amount of open space before Staff can support this modification request.

- (2) **PD-H, Planned Development-Housing, § 4-109, Site Planning-External Relationships**, subparagraph (E), *Height limitations at edges of PD-H district* Except along boundaries where adjoining districts permit greater heights within similar areas, height limitations shall be limited to an imaginary plane leaning inward from district boundaries at an angle representing an increase in height of one (1) foot for every two (2) feet of horizontal distance perpendicular to the district boundary. No portion of any building in such district shall project through said imaginary plane.

Proposed Modification - Request modification to permit specific units on the eastern edge of the property, adjacent to Crown Alley and on the northeastern edge of the Property adjacent to vacant land are permitted to cross through the imaginary building line.

Applicant's Justification – The proposed layout orients residential development to the east allowing the provision of an open space buffer on the western boundary of the property which far exceeds the requirement. This assists in the preservation of existing vegetation and creates a physical barrier and screen to non-residential land to the west. This provision of open space has resulted in proposed residential units on the eastern boundary of the Property being located in close proximity to the Property boundary.

The proposed residential development has been carefully designed to integrate with the existing residential community to the east. This has allowed a unified streetscape extended along Grammercy Terrace and will result in one community rather than two separate residential neighborhoods. The Applicant believes that there will be no boundary lines between existing and proposed residential areas and as such, specific properties on the eastern and northeastern edge of the proposal should be permitted to cross through the imaginary building line.

Staff comment – Staff concurs and can support this modification request. However, Staff asks the Applicant to identify the specific units mentioned above. In addition to this section, Staff asks that the Applicant request a height modification of the R-8

district § 3-508(B).

3. **Section 6-1508, Contents of an approved Concept Development Plan.**

The concept development plan must be revised to depict the following for the PD-H district:

- E. **Perimeter treatment.** The CDP must demonstrate how the design and arrangement of perimeter areas mitigates the impact of the project upon adjoining properties. It is noted that the Applicant is proposing a 6-foot tall screen fence on the northwestern portion of the property adjacent to the Chantilly Crushed Stone Inc. Staff suggests that the Applicant depicts the buffer yard type proposed adjacent to this property.

***VIII. CONFORMANCE WITH ADDITIONAL REGULATIONS & STANDARDS***

**A. SECTION 5-1100, OFF-STREET PARKING & LOADING REQUIREMENTS**

On Sheet 6, the Applicant has shown the amount of required parking spaces for the proposed single family attached units, but added a note stating that the total number of parking spaces is subject to change with final engineering. Please note that the number of parking spaces must meet the minimum requirement of the Zoning Ordinance. It should also be noted that garages and driveway count towards parking spaces. If garages are proposed to meet parking requirements, Staff recommends that the Applicant include a covenant to preclude conversion of garages to living space.

**B. SECTION 5-1300, TREE PLANTING AND REPLACEMENT**

At Final Site Plan, the planting and replacement of trees on-site to the extent that, at maturity of ten (10) years, minimum tree canopy shall be twenty (20) percent tree canopy for sites zoned PD-H and R-8 for single family attached units with densities of three (3) to ten (10) units per acre. Every platted lot shall have a minimum tree canopy coverage of 2.5%, or 3,000 square feet, whichever is less, calculated at 10 years maturity, exempting lots for which no permits for new structures will be sought and the designated parent tract.

Since this site has existing vegetation, Staff recommends that existing viable stands of trees will be preserved to the greatest extent possible and depicted on a proffered Concept Development Plan (CDP).

**C. SECTION 5-1400, BUFFERING AND SCREENING -**

1. The presentation and approval of a landscape plan is addressed at site plan. However comments on the utilization of existing vegetation to meet buffer planting requirements should be placed in the Notes.

2. The Applicant will have the option of requesting a modification or waiver of the required buffer yard by the Zoning Administrator at the time of site plan, pursuant to Section 5-1409 of the Ordinance, unless a specific condition of approval is added prohibiting such a request.

**IX. ZMAP CHECKLIST:**

1. The Applicant has delineated the open space areas in the development. Staff notes that the proposed open space areas primarily consist of perimeter buffers, tot lot areas and wetland areas. Clarify and describe the character of the open space, the town green civic space and the proposed active recreation on the CDP sheet including the play field area [Checklist # 7, § 4-111(A)].

**X. PROFFER STATEMENT:**

1. The Applicant has not provided any proffers to date. If the Applicant wishes to submit proffers for consideration, they are required to be submitted as part of the Applicant's response to the first written review of the issues (6-1209(A)(1)), and no later than 45 calendar days prior to the scheduled public hearing before the Board of Supervisors (6-1209(A)(2)).
2. If proffers are submitted, Staff recommends that, for the purpose of future interpretation, administration and enforcement, each proffer should be written to specifically and clearly communicate: 1) the intent of the proffer; 2) who is responsible for fulfilling the proffer; 3) what is being proffered; 4) where the proffer applies; and 5) when the proffer is to be initiated and completed.

**XI. OTHER ISSUES/COMMENTS:**

1. On the Cover Sheet (note # 2), please include the Quarry Notification (QN) Overlay District. Similarly include this information on Sheet 3, Note # 1.
2. On the Cover Sheet (note # 3), please state the correct Ordinance sections 7-800 and 3-500.
3. On the Cover Sheet (note # 10), correct the first sentence to read ".....will be provided for the project."
4. On the Cover Sheet (note # 13), Staff recommends that the note be revised to indicate that the site layout is subject to change due to final architectural and engineering design only.

5. On Sheet 2 of the rezoning plan set, correct the property owners for #s 84, 85, 86, as County records indicate that the property owner is "Transduller Land LLC". On the same sheet, correct the property owner for # 83 to "Brooks Assemblage HOA". Please verify that the current property owners for residential units in the Grovewood development are the same as listed on Sheet 2 of the rezoning plan set.
6. On the Rezoning Plat (Sheet 3) clearly depict and label the metes and bounds for the PD-H6 district, so that the new zoning district can be mapped, if approved.
7. On Sheets 3, 4, 5, 6 & 7, the parcel to the north of the proposed development is identified as MCPI # 034-40-3610, Loudoun Reserve. This is incorrect, as the actual MCPI # of the parcel is 033-10-4819 and the zoning is PD-IP. Similarly, the parcel identified as MCPI # 033-10-4819 should be corrected to MCPI # 033-10-8216.
8. According to County records, the parcel identified as MCPI # 024-45-0681, Centex Homes should be MCPI # 024-45-0991, Brooks Assemblage HOA. Similarly, for MCPI # 024-45-4473. Correct/clarify this on all applicable Sheets.
9. On the Rezoning Plat (Sheet 3), correct note # 2 to indicate Section 7-800.
10. On Sheet 4, provide a legend for proposed contours.
11. Distinguish the legend provided for the 'project limit' area from the 'tree stand boundary' on Sheet 4, as they appear to be the same.
12. Pursuant to the Facilities Standards Manual (FSM) and VDOT, the minimum requirement for sidewalk width is 5 feet. The Illustrative on Sheet 5 depicts a sidewalk width of 4 feet. Please revise this.
13. Provide a legend for the different letters depicted on the proposed CDP on Sheet 7.
14. The CDP (Sheet 7) appears to depict a 25-foot wide aisle and a 39-foot right-of-way for the proposed private streets in the development. Zoning defers to Engineering Division to determine accuracy of this right-of-way width.
15. Pursuant to Article 8, definitions, "active recreation space" includes tennis courts, swimming pools, tot-lots, outdoor games and sports activities etc. It appears that the only type of active recreation uses included in this application is the tot lot. Staff recommends that the Applicant clarify what is included in "active recreation" proposed for the development.
16. The proposed CDP (Sheet 6) depicts the area of the site as 18.43 acres while the Statement of Justification (page 1) states that the property totals 17.89 acres. The County's land record system (LMIS) depicts the total acreage of the site as 17.82 acres. Clarify this inconsistency.



COUNTY OF LOUDOUN

DEPARTMENT OF BUILDING AND DEVELOPMENT

MEMORANDUM

**DATE:** August 21, 2007

**TO:** Mike Elabarger, Project Manager, Department of Planning

**FROM:** Val Thomas, Planner, Zoning Administration

**THROUGH:** Mark Stultz, Assistant Zoning Administrator

**CASE NUMBER AND NAME:** ZMAP 2005-0038; The Townes at Autumn Oaks; 2nd Referral

**TAX/MAP PARCEL NUMBERS:** 034-40-3610, 034-40-6958, 034-40-8307, 034-30-2448, 034-39-9485, 034-39-8861; 95/22, 95/21, 95/25, 95/27, 95/28, 95/29

**I. APPLICATION SUMMARY:**

Building and Development Zoning Staff has reviewed the above referenced revised rezoning (ZMAP) application for conformance with the applicable requirements of the *Revised 1993 Loudoun County Zoning Ordinance* ("the Ordinance"). The applicant, ("Loudoun Reserve LC"), seeks approval to rezone approximately 24.95 acres from R-1 (Residential-1) to PD-H6 (Planned Development-Housing). The PD-H6 district is proposed to be administered as R-8 (Single Family Residential) to allow for development of up to 179 single-family attached homes. In conjunction with this application, the Applicant is requesting approval of zoning ordinance modifications to modify requirements for minimum district size, required common open space and building height. The proposed development consists of six parcels that are generally located on the north side of Old Ox Road (Route 606), west of Oakgrove Road and south of the Washington and Old Dominion Trail.

The materials submitted for review of the application consist of: (1) Information Sheet dated July 3, 2007; (2) Statement of Justification, not dated; (3) Rezoning Plan set dated June 22, 2006 revised through June 26, 2007, consisting of (a) Vicinity Map/Cover Sheet, (b) Context Map, (c) Zoning Plat, (d) Existing Conditions & Green Infrastructure Map, (e) Illustrative, (f) CDP-Land Use, Open Space & Traffic Plan, and (g) CDP-Combined Plan.

Based upon a review of the revised application, Zoning Staff offers the following additional comments:

1. The Applicant is proposing to rezone to the PDH-6 district and develop single-family attached residential units only, with no supporting non-residential uses or other residential unit types. There is no existing PDH zoning district adjacent to the property. Pursuant to the PDH district, Section 4-101 of the Ordinance, the Planned Development-Housing district is established to provide for a variety of single and multi-family housing types in

neighborhood settings plus supporting non-residential uses in a planned environment fostering a strong sense of community. As noted in earlier zoning referral comments with regard to the Comprehensive Plan Amendment application, CPAM 2004-0007, Pearson Reserve, Staff believes that the most appropriate zoning district to achieve the proposed density and dwelling type is the R-8 district, in accordance with Sections 3-500 and 7-800 of the Ordinance. Therefore, Staff recommends that the property be rezoned to this district.

2. Pursuant to Section 4-102, a PD-H6 district, when mapped, shall be no less than twenty-five (25) acres. The proposed application contains 24.95 acres. The applicant has requested a modification of this section to allow the district to be less than 25 acres. See staff comment on modification below.
3. The Applicant has not clearly addressed the four 'timings of development' criteria required by Section 4-103 of the Zoning Ordinance. Please address each criterion and provide supporting documents for the same.
4. Pursuant to Section 3-502, the district shall be located with pedestrian linkages to nearby established or planned employment centers, shopping or other community support services. Demonstrate conformance with this section of the Ordinance.
5. Pursuant to Section 7-801, the maximum permitted density is 9.6 dwelling units per acre. Sheet 5 of the rezoning plan depicts a permitted maximum density of 7.2 dwelling units per acre. Correct Sheet 5.
6. The property now lies within the Airport Impact (AI) Overlay District with the inclusion of the additional sites. Please correct note # 7, Sheet 4, note # 2, Sheet 6 and note # 1 on Sheet 3 to indicate that the property lies within the limits of the AI Overlay District.
7. Note # 2 on Sheet 4 states that the property has no moderate or steep slopes. However, per county records, the property contains area of moderate and very steep slopes. Staff asks the Applicant to correct/clarify this.
8. Pursuant to Article 8, definitions, "active recreation space" includes tennis courts, swimming pools, tot-lots, outdoor games and sports activities etc. It appears that the only type of active recreation uses included in this application is the tot lot. Staff asks that the Applicant clarify what is included in "active recreation" proposed for the development and include in the proffer statement.
9. The Applicant has requested a modification of Section 5-1414(B)(4) to modify the plantings required by this section, to retain the existing vegetation. However, this modification request is only listed on Sheet 6 of the rezoning plan but not included in the Statement of Justification. Further, the Applicant has not provided a justification for such modification request. Please include this in the Statement of Justification and provide justification for the same.
10. The Applicant has requested a modification of § 4-109, Site Planning-External

Relationships, subparagraph (E), Height limitations at edges of PD-H district and Section 3-508(B) and as noted in the first referral comment, Staff supports the modification request.

11. The Applicant has requested a modification of Sections 4-109 (C), 4-110(I) and 3-509(C) to reduce the required permanent common open space and perimeter buffer to less than 50 feet. This reduction is specifically requested along the eastern and southern boundaries of the Property. It is not clear to Staff as to the extent of the modification and the proposed width of the reduced buffer. Staff notes the provision of large amounts of open space strategically placed through the development, and the Applicant's intent to preserve the existing vegetation on the southern portion in and around the areas of wetlands as well as on the western portion adjacent to the existing powerline. Staff asks that the Applicant depict the width of the reduced buffer, the limits of the modification request on the CDP, or on a separate sheet, before Staff can support this modification request. The modification request of Section 4-110(I) should be removed as this applies to residential uses and land bays within the PD-H district, unless the application proposes more than one land bay in the development.
12. Modification of Section 4-102, Size and Location – The Applicant is requesting a modification of this section to allow the minimum district size of 25 acres for the PDH6 district to be reduced to 24.95 acres. Staff can support this modification request.
13. With regard to the proffer statement, staff has the following comments:
  - i. With regard to Proffer III, in line 5, correct the zoning district to PD-H6 district.
  - ii. With regard to Proffer VI, in line 8, remove the reference to single family detached dwelling units, as there is none proposed with this development.
  - iii. With regard to Proffer VII.C., in line one (1), Staff suggest that the word 'receipt' be replaced with 'issuance'.
  - iv. With regard to Proffer VIII.A.1, the Applicant proposes a 'tree save area' but notes that clearing in this area shall be permitted for trails, storm water management facilities and recreational facilities. This seems to contradict the purpose of a 'tree save area'.
  - v. With regard to Proffer VIII.A.2., in line 5, Staff suggests that the County's Arborist is included in addition to the Applicant's Arborist.
  - vi. With regard to Proffer IX.B., in line 4, replace 'site plan' with 'construction plans and profiles'. Similarly, for proffer IX.C and X.
  - vii. With regard to the Preamble, it is noted that 'Loudoun Reserve L.C.' and 'Smith Loudoun L.C.' collectively is the 'Applicant' or 'Property Owner', while 'The Peterson Companies L.C.' is listed as one of the Applicants on page 8 of the draft Proffer Statement. Explain.



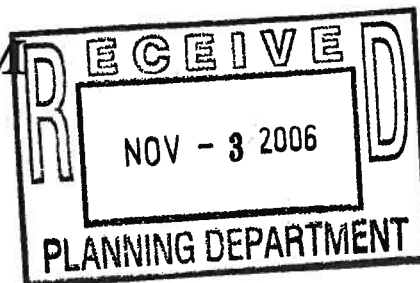
LOUDOUN COUNTY, VIRGINIA  
Department of Fire, Rescue and Emergency Management

803 Sycolin Road, Suite 104 Leesburg, VA 20175  
Phone 703-777-0333 Fax 703-771-5359



MEMORANDUM

**To:** Mike Elabarger, Project Manager  
**From:** Maria Figueroa Taylor, Fire-Rescue Planner  
**Date:** November 2, 2006  
**Subject:** The Townes at Autumn Oaks  
ZMAP 2005-0038



Thank you for the opportunity to review the above captioned Zoning Map application.

The GIS and Mapping coordinator offered the following information regarding estimated response times:

PIN	Project name	Sterling VFRC Cascades Station 11/18 Travel Time
034-40-3610	The Townes at Autumn Oaks	6 minutes, 39 seconds

The Travel Times for each project were calculated using ArcView and the Network Analyst extension to calculate the distance in miles. This distance was then doubled to provide an approximate travel time for a Fire or EMS unit to reach each project site. To get the total response time another two minutes were added to account for dispatching and turnout. This assumes that the station is staffed at the time of the call. If the station is unoccupied, another one to three minutes should be added.

Project name	Approximate Response Time for Sterling VFRC Cascades Station 11/18
The Townes at Autumn Oaks	8 minutes, 39 seconds

The Fire and Rescue Planning Staff, in agreement with the Fire Marshal Division (FMO), has no objection to the application as presented. If you have any questions or need additional information, please contact me at 703-777-0333.

C: Project file

*Teamwork \* Integrity \* Professionalism \* Service*

A-24

19 October 2006

**MEMORANDUM TO:** Mike Elabarger, Planner  
Department of Planning

**FROM:** Matthew D. Tolley  
Sr. Env. Health Specialist  
Division of Environmental Health

**SUBJECT:** **ZMAP 2005-0038; The Townes at Autumn Oaks**  
**LCTM: 95/2, 21 & 25 (PIN 034-40-3610, 034-40-**  
**6958 & 034-40-8307)**

The Health Department has no objections to the approval of this application. The applicant needs to be aware that the abandonment of the well on parcel 95/25 must be permitted before preliminary and the work performed prior to record plat. The plat reviewed was prepared by Urban Engineering and was dated 21 July 2006.

Attachments      Yes \_\_\_\_ No X

If further information or clarification on the above project is required, please contact Matt Tolley at 771-5248.

MDT/JEL/mt  
c:subdvgd.ref

A-25



880 Harrison Street, SE • P.O. Box 4000 • Leesburg, Virginia 20177-1403 • [www.lcsa.org](http://www.lcsa.org)

September 26, 2006

Mr. Mike Elabarger  
Department of Planning  
1 Harrison Street, S.E.  
P. O. Box 7000  
Leesburg, Virginia 20177-7000

Re: **ZMAP-2005-0038, Townes at Autumn Oaks**

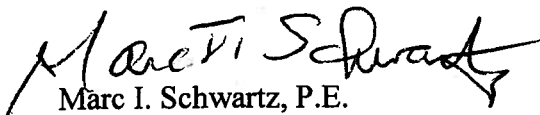
Dear Mr. Elabarger:

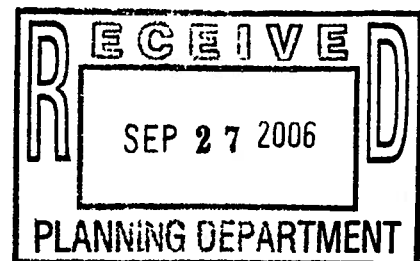
The Sanitation Authority has reviewed the referenced Zoning Map Amendment Petition and offers the following comments:

1. Water and sanitary sewer alignments have not been proposed on the concept plan.
2. Water is available through extension from an existing easement and right-of-way on adjacent property.
3. Sanitary sewer is available through extension from an existing easement on adjacent property. However, this extension may be able to serve only a portion of the proposed project. An additional offsite extension is likely to be required.
4. Should offsite easements be required to extend public water and/or sanitary sewer to this site, the applicant shall be responsible for acquiring such easements and dedicating them to the Authority at no cost to the County or to the Authority.
5. Detailed comments on the design of the public water and sanitary sewer facilities will be addressed during the Sanitation Authority's Utility Extension Request process.

Public water and sanitary sewer service would be contingent upon the developer's compliance with the Authority's Statement of Policy; Rates, Rules and Regulations; and Design Standards. Should you have any questions, please do not hesitate to contact Dominic Powers, of this office.

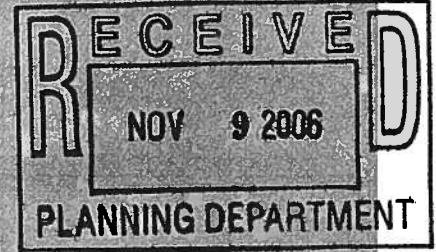
Sincerely,

  
Marc I. Schwartz, P.E.  
Manager, Department of Land  
Development Programs  
Dale C. Hammes, P.E.  
General Manager/Treasurer



Richard C. Thoesen, P.E.  
Deputy General Manager

**County of Loudoun**  
**Office of Transportation Services**  
**MEMORANDUM**



**DATE:** November 8, 2006

**TO:** Mike Elabarger, Project Manager  
Department of Planning

**FROM:** Lou Mosurak, AICP, Senior Transportation Planner *Lm*

**THROUGH:** Art Smith, Senior Coordinator *AS*

**SUBJECT:** ZMAP 2005-0038—Townes at Autumn Oaks  
First Referral

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**Background**

This rezoning application proposes to develop 132 single family attached residential units on approximately 18.1 acres located in the Oak Grove area, north of Old Ox Road (Route 606) and east of the planned Davis Drive corridor. A vicinity map is provided as *Attachment 1*. Access to the site is proposed from Oakgrove Road (Route 824) via extensions of existing Trefoil Lane and Grammercy Terrace. No access to the site is proposed from the future Davis Drive corridor. Staff notes that this site was the subject of a comprehensive plan amendment application (CPAM 2004-0007, Pearson Reserve). The CPAM, approved by the Board of Supervisors in July 2005, changed the land use designation of this property from Business to High Density Residential (up to 8 dwelling units per acre). In its consideration of this rezoning application, OTS reviewed materials received from the Department of Planning on August 18, 2006, including (1) a traffic impact study prepared by Wells & Associates, LLC, dated December 22, 2004 and revised through December 15, 2005; (2) a rezoning plan set (including a concept development plan (CDP)) prepared by Urban Engineering & Associates, Inc., dated June 22, 2006 and revised through July 21, 2006.

**Existing, Planned and Programmed Roads**

Old Ox Road (Route 606) between the Fairfax County/Town of Herndon Line and Shaw Road (near Route 28) is classified by the Revised Countywide Transportation Plan (Revised CTP) as a major collector with controlled access. It is currently built to its ultimate four-lane divided (U4M) condition. At present, signalized intersections are located at Shaw Road and at Rock Hill Road. An additional signal has been warranted by VDOT at Oakgrove Road and design is underway.

Rock Hill Road (Route 605) is a two-lane local road to the north of Old Ox Road, providing access to the Rock Hill Estates development and other developments in the Oak Grove area. Rock Hill Road intersects with Trefoil Lane (described below), providing access to the traffic

signal at Rock Hill and Old Ox Roads from Oakgrove Road. The section of Rock Hill Road to the north of Route 606 has not yet been accepted into the VDOT secondary road system. To the south of Old Ox Road, Rock Hill Road is currently a two-lane (R2) minor collector, with its ultimate condition identified by the Revised CTP as a four-lane undivided (U4) minor collector.

Oakgrove Road (Route 824) is a local road serving as the primary access to the Oak Grove area. Between Old Ox Road and Hall Road, much of the roadway has been widened to a four-lane undivided (U4) section (approximately 70 feet ROW) though a narrow two-lane section is still in place just north of Old Ox Road. A signal at Old Ox Road (Route 606) has been warranted by VDOT and is currently in design.

Trefoil Lane is a local road running east-west from Rock Hill Road to the site, with stop sign control at its intersection with Oakgrove Road. Trefoil Lane currently ends at the subject property. Trefoil Lane has not yet been accepted into the VDOT secondary road system.

Grammercy Terrace is a private street running east-west through the Grovewood and Encore at Grovewood townhouse developments. Grammercy Terrace currently ends at the subject property.

Hall Road (Route 788) is a local road (variable right-of-way) which runs east-west on either side of Oakgrove Road, just south of the Brookhaven development. At present, it is a rural two-lane section to the east of Oakgrove Road, where it provides access to the Oak Grove Baptist Church and several residential parcels. To the west of Oakgrove Road, Hall Road is currently unimproved though one-half section of right-of-way was dedicated as part of the rezoning for the Brookhaven development (ZMAP 2001-0001). This right-of-way ends near the southwestern corner of the Brookhaven development, and the road does not currently provide functional access to any properties.

Davis Drive is a planned to extend from its existing southern terminus near Yeager Court in the Transdullies Centre (non-residential) development (south of Sterling Boulevard) to Route 606 through the approved but undeveloped Centennial Dominion property. The Revised CTP describes the ultimate condition of this segment of Davis Drive (between Church Road (Route 625) and Old Ox Road (Route 606)) as a four-lane (U4) major collector within a 70-foot ROW.

### **Trip Generation by Proposed ZMAP**

The Applicant's traffic study was prepared during the CPAM process when a total of 179 single family attached (townhouse) units were proposed on the site (approximately 10 units per acre). Trip generation figures in the study were based on the 179-unit total, which the study indicated would generate a total of 1,557 daily weekday trips (ADT). The 1,557 ADT total includes 82 AM peak hour trips and 97 PM peak hour trips.

The approved CPAM for the site resulted in a maximum planned density of only 8 dwelling units per acre. The Applicant subsequently revised its rezoning application accordingly and a



total of 132 townhouse units are currently proposed on the site. Based on rates and equations contained in the ITE Trip Generation Manual (7<sup>th</sup> Edition), these 132 townhouses would generate a total of 1,148 daily weekday trips (ADT). The 1,148 ADT total includes 64 AM peak hour trips and 75 PM peak hour trips.

### **Traffic Study Parameters/Scoping Agreement**

#### **Trefoil Lane Extension**

When the traffic study was initially scoped with Loudoun County OTS staff in August 2004, it was agreed that analyses both with and without an extension of Trefoil Lane west to the future Davis Drive corridor was to be included in the study. Given the change in planned land use designation of the site from Business to High Density Residential under CPAM 2004-0007, such a connection is no longer desirable as it would result in significant non-residential cut-through traffic through the subject property (now planned for residential uses) between the Davis Drive corridor and Oakgrove Road. A memo from the Applicant's traffic consultant to this effect is provided as *Attachment 2*. Staff agrees with the conclusion in the memo that the Trefoil Lane connection not be provided.

#### **Overall Traffic Study Analysis**

*Attachment 3* shows existing (2005) traffic counts on roads proximate to the site. Daily weekday traffic (ADT) on Oakgrove Road immediately north of Route 606 was 3,060 trips. On Route 606 west of Oak Grove Road, ADT was 28,030 trips. *Attachment 4* shows daily and peak hour traffic forecasts for the project buildout year (2008) as prepared by the Applicant's traffic consultant. Major increases of traffic on Route 606 are forecast with ADT rising to 48,980 trips by 2008. If this occurs, adequate LOS cannot be provided on the current four-lane median divided (U4M) Route 606. *Attachment 5* shows daily and peak hour volumes for forecast year 2020.

Level of service (LOS) analyses have not been attached since 2008 and 2020 analyses were not provided by the Applicant's traffic consultant for facilities likely to be on the ground at those times. This needs to be remedied. Existing LOS fails at the unsignalized intersections of Route 606 with Oakgrove Road and Douglas Court but is acceptable (LOS B/C) at the signalized intersection of Route 606 and Rock Hill Road.

### **Transportation Comments**

1. As noted above, the Applicant's traffic study does not provide level of service (LOS) analyses for facilities likely to be in place in the project buildout year (2008) and forecast year (2020). This information needs to be provided in order for staff to complete its evaluation of the proposed development's impacts on the regional road network.
2. Significant regional road improvements are needed to provide safe and adequate access to the site at an acceptable level of service.
3. As noted above and in the traffic study, significant regional road improvements are necessary to accommodate future background traffic at an acceptable level of service (LOS D or better) in this part of the Route 606 corridor. A portion of the Applicant's

regional road commitment to provide safe and adequate access to the site should include completion of the Oakgrove Road widening to a four-lane undivided section just north of Route 606.

4. The Applicant should consider reserving right-of-way for a future street connection in the northeast corner of the site to link to Hall Road once other properties in the area develop. Such a connection would provide for improved circulation and emergency vehicle access to the area.
5. Please confirm that the proposed street connection to Grammercy Terrace is acceptable to the Encore at Grovewood Homeowners' Association (HOA) as Grammercy Terrace is a private street that is currently maintained by the HOA.
6. Pursuant to the Facilities Standards Manual (FSM), private street categories/standards are determined by estimated traffic volumes. Please include estimated average daily trips (ADT) for each private street shown on the plat as this will dictate the private street category that is required.
7. An appropriate transit contribution should be provided for the residential units proposed on site. Other similar approved applications have agreed to \$500.00 per unit for such services.

### **Conclusion**

OTS will offer a recommendation once it has reviewed the Applicant's responses to these comments.

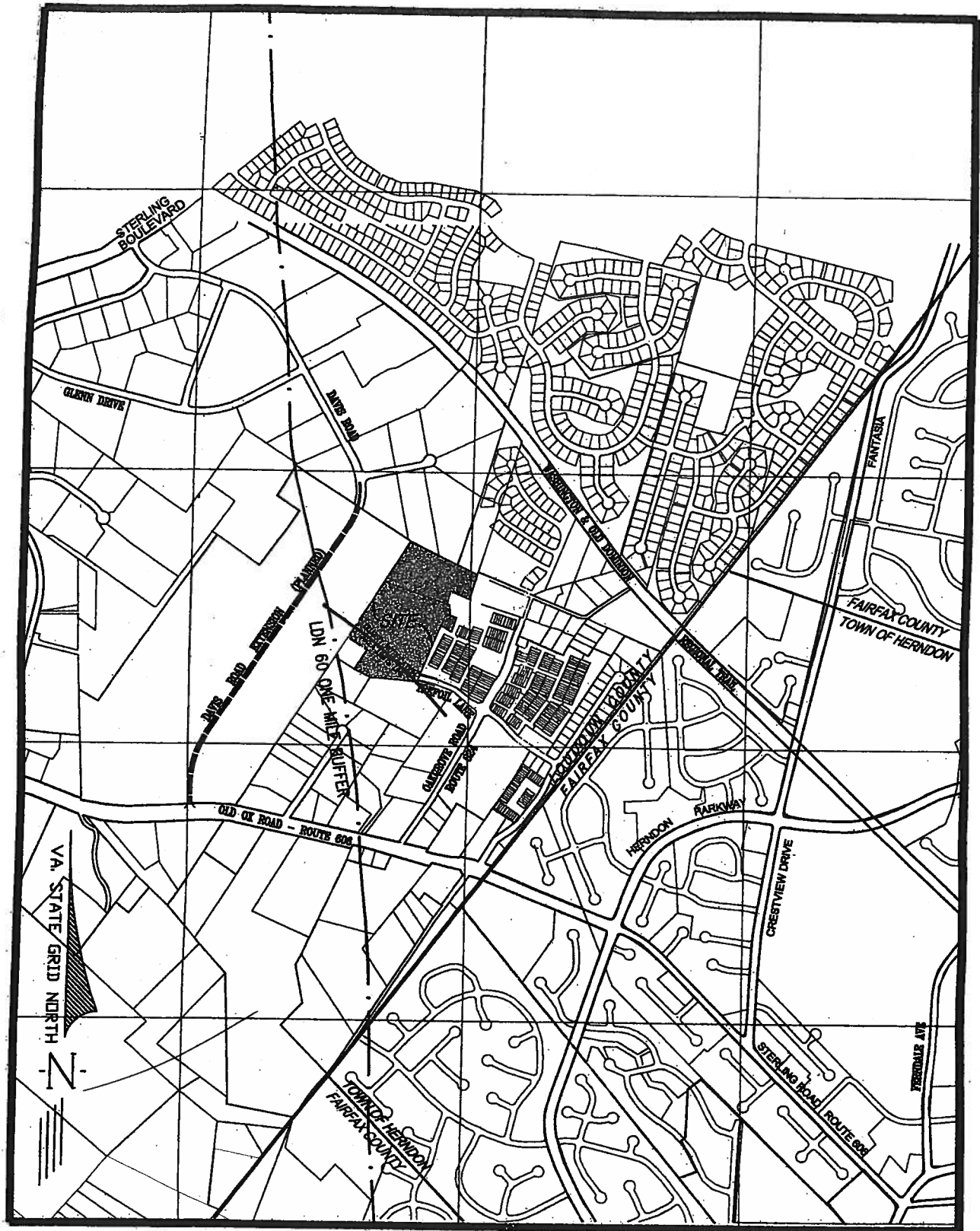
### **ATTACHMENTS**

1. Vicinity Map
2. Memo from Wells & Associates Regarding Trefoil Lane Extension to Davis Drive (August 16, 2006)
3. Existing (2005) Traffic Volumes (Traffic Study Figure 4)
4. Total Future Peak Hour Traffic Forecasts (2008) (Traffic Study Figure 9)
5. Total Future Peak Hour Traffic Forecasts (2020) (Traffic Study Figure 10)

cc: Andrew Beacher, Assistant Director, OTS

A-30

# VICINITY MAP



ATTACHMENT 1

**WELLS & ASSOCIATES, LLC**

TRAFFIC, TRANSPORTATION, and PARKING CONSULTANTS

**MEMORANDUM**

**TO:** George R. Phillips, AICP  
Loudoun County Office of Transportation Services

**FROM:** Kevin D. Sitzman, P.E.

**DATE:** August 16, 2006

**RE:** Pearson Reserve – Trefoil Lane Extension  
Loudoun County, Virginia

As requested, this memorandum discusses the extension of Trefoil Lane west of Oakgrove Road to Davis Drive, in the vicinity of the Pearson Reserve. This clarification was requested in conjunction with the review of the Pearson Reserve Traffic Impact Study.

The scoping agreement, dated August 24, 2004, indicated that an analysis with and without the extension of Trefoil Lane to the west would be included in the study. The Pearson Reserve Traffic Impact Study, updated December 15, 2005, does not include a scenario with the Trefoil Lane extension, and the study indicates that the connection would not be provided.

Due to the nature of the recently constructed land uses along Oakgrove Road and the planned land uses along Davis Drive, the connection was not deemed appropriate. Existing industrial and employment uses at the south end of Oakgrove Road would be compatible with the industrial and employment zoning along Davis Drive, and a connection between the roadways would be appropriate. The recent residential uses that now constitute the majority of the land area along Oakgrove Road, along with the Pearson Reserve, would not be compatible with the industrial uses. The extension of Trefoil Lane to Davis Drive was, therefore, not included in the traffic analysis.

Please feel free to contact me with any additional questions you may have regarding this matter.

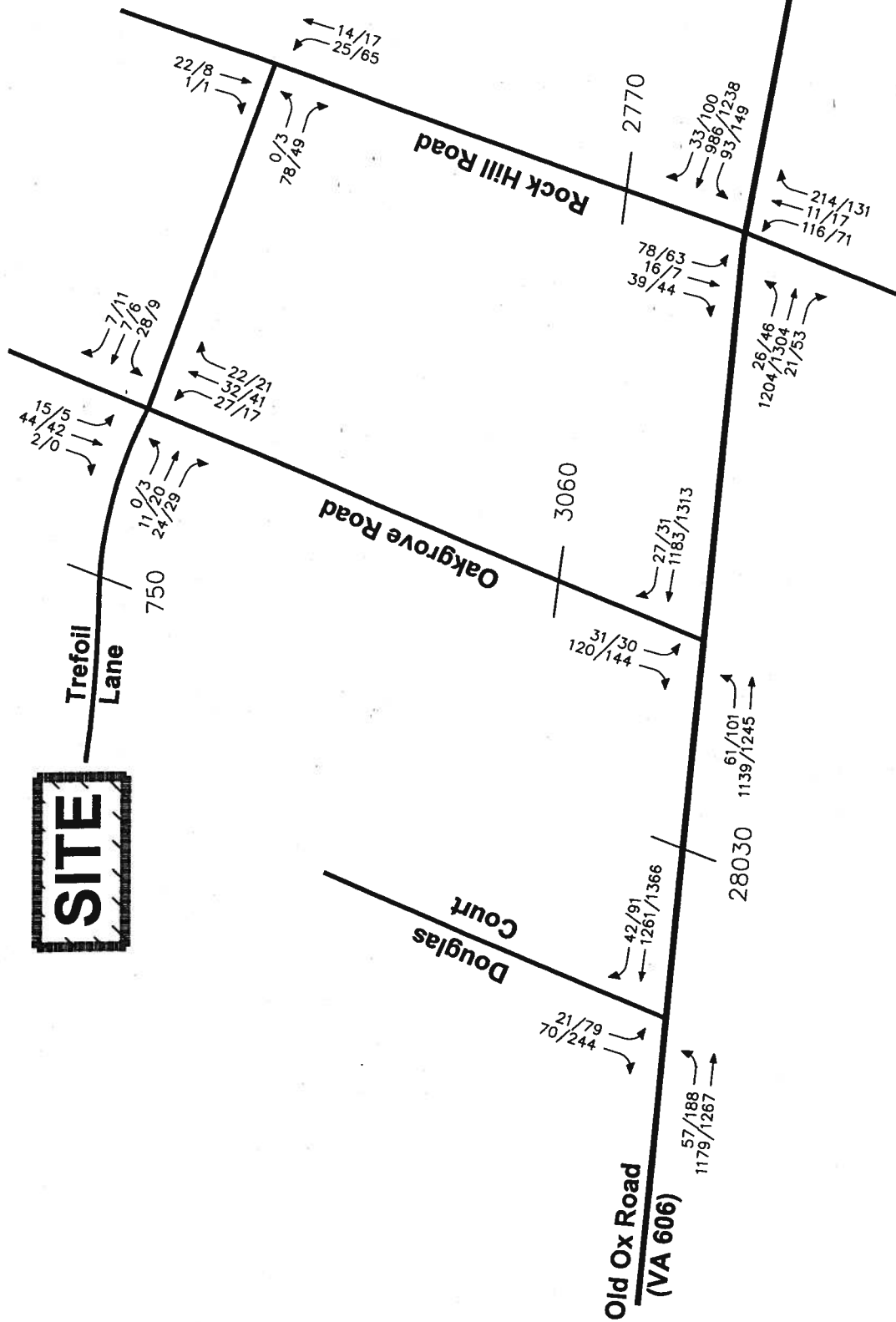


Figure 4  
Existing Peak Hour Traffic Counts

— xxxx Average Daily Traffic  
AM PEAK HOUR  
PM PEAK HOUR  
000/000



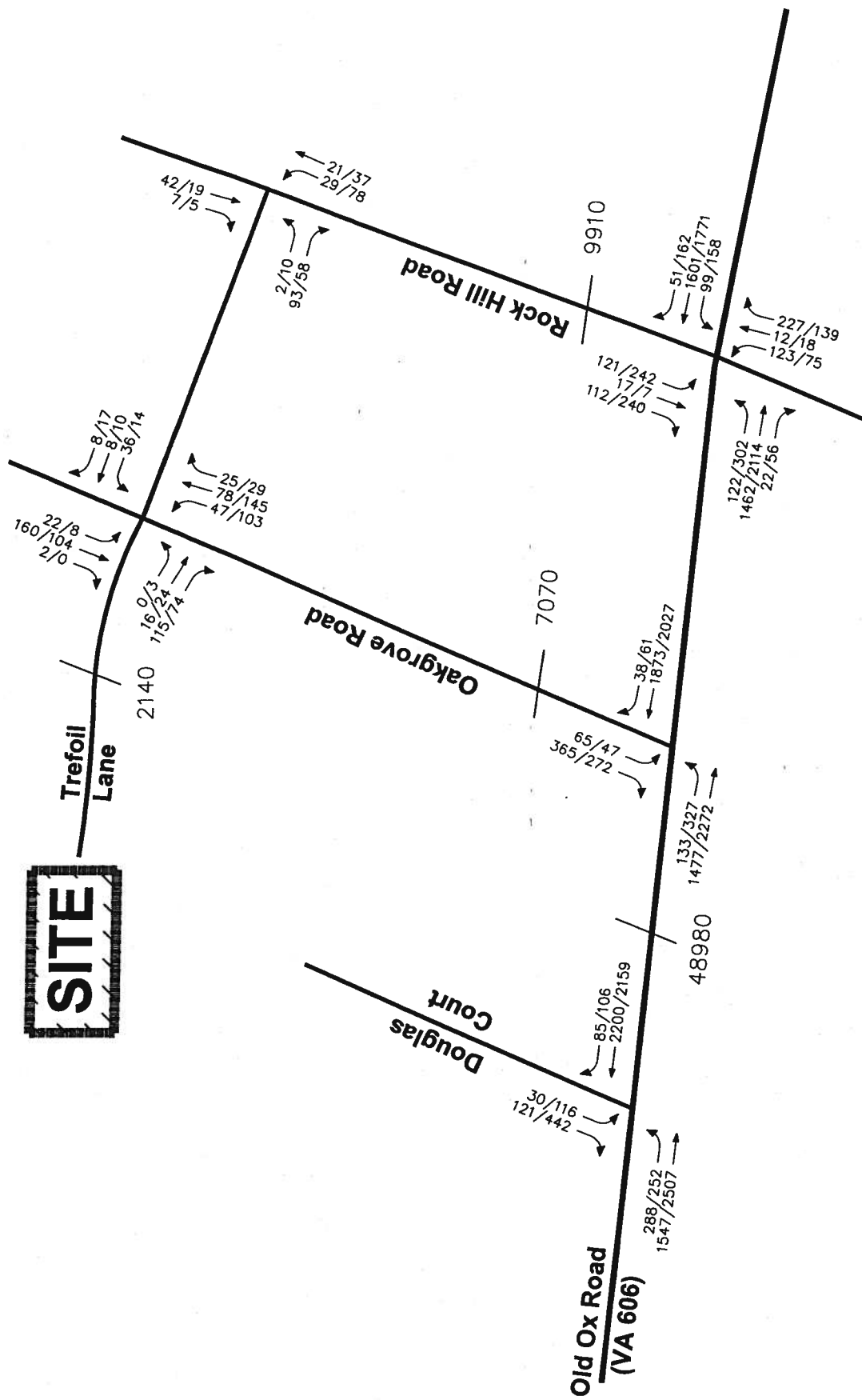
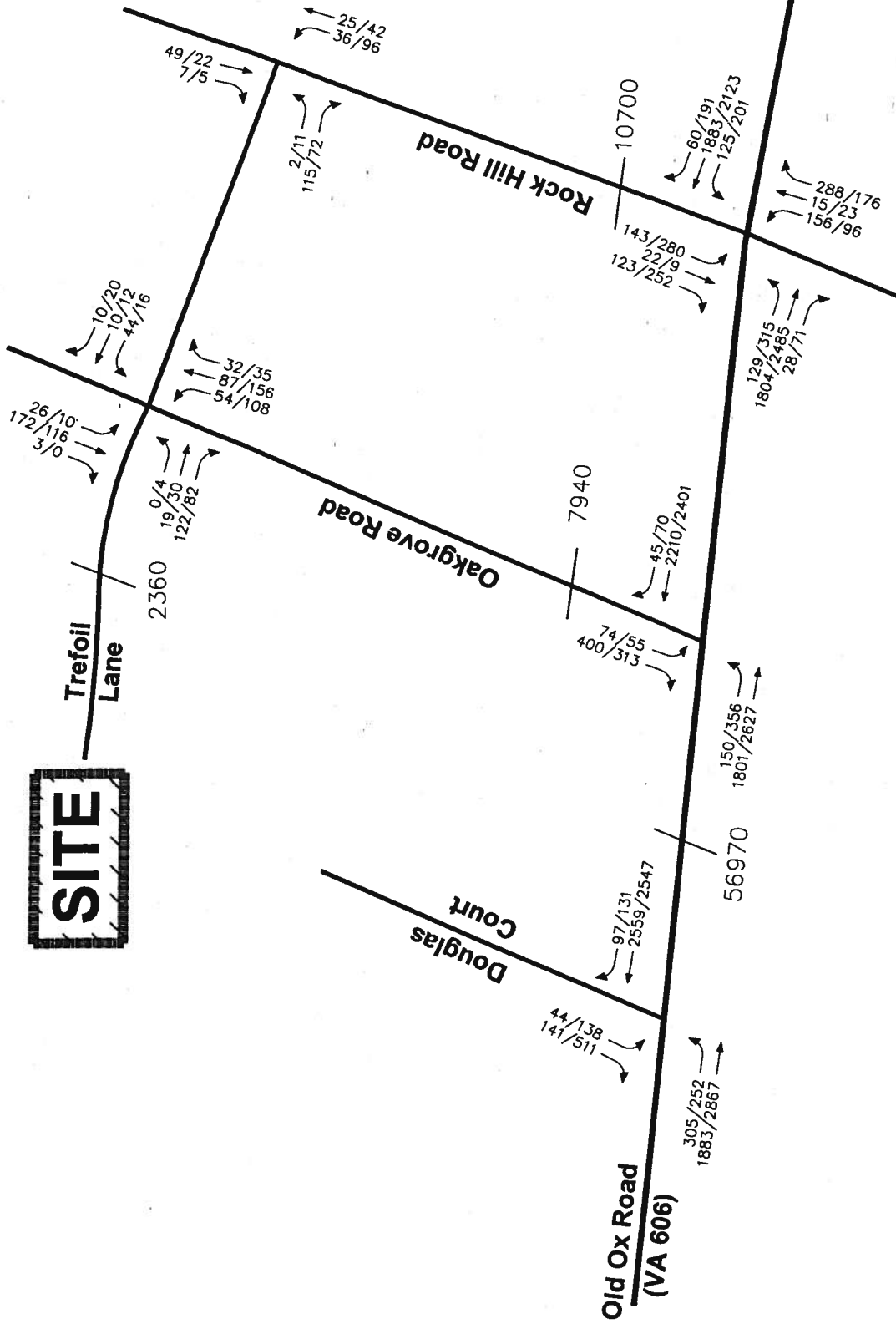


Figure 9  
Total Future Peak Hour Traffic Forecasts (2008)

— xxxx Average Daily Traffic  
AM PEAK HOUR  
PM PEAK HOUR  
000/000





ALL PEAK HOUR  
PM PEAK HOUR  
000/000

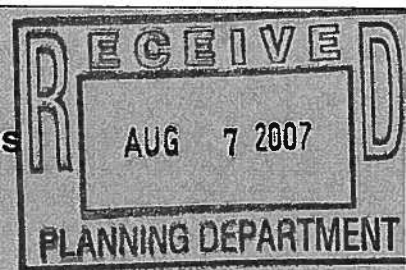
— XXXX Average Daily Traffic

Figure 10  
Total Future Peak Hour Traffic Forecasts (2020)



County of Loudoun  
Office of Transportation Services

MEMORANDUM



**DATE:** August 7, 2007

**TO:** Mike Elabarger, Project Manager  
Department of Planning

**FROM:** Lou Mosurak, AICP, Senior Transportation Planner *LM*

**THROUGH:** Art Smith, Senior Coordinator *AS*

**SUBJECT:** ZMAP 2005-0038—Townes at Autumn Oaks (Pearson Reserve)  
Second Referral – REVISED APPLICATION

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**Background**

This referral serves as an update to the status of issues identified in the first OTS referral on this application (dated November 8, 2006), and supersedes the OTS comments dated May 24, 2007. The rezoning application has been revised and now proposes 179 townhouse units on approximately 24.5 acres<sup>1</sup> in the Oak Grove area, north of Old Ox Road (Route 606) and west of Oakgrove Road (Route 824). The proposed development would generate a total of 1,557 average daily trips (ADT), including 82 AM peak hour trips and 97 PM peak hour trips. These comments are based on review of materials received from the Department of Planning on July 3, 2007, including (1) a letter responding to first referral comments (prepared by Cooley Godward Kronish LLP), dated April 18, 2007; (2) a traffic study update (prepared by Wells and Associates, LLC), dated April 20, 2007; (3) a draft proffer statement, revised July 3, 2007; and (4) a rezoning plan set (including a concept development plan (CDP)) (prepared by Urban Engineering & Associates, Inc.), dated June 22, 2006 and revised through June 26, 2007.

**Status of Transportation Issues/Comments**

Staff comments from the first referral, along with the Applicant's response (quoted directly from its April 18, 2007 response letter) and issue status, are provided below.

1. Initial Staff Comment: As noted above, the Applicant's traffic study does not provide level of service (LOS) analyses for facilities likely to be in place in the project buildout year (2008) and forecast year (2020). This information needs to be provided in order for staff to complete its evaluation of the proposed development's impacts on the regional road network.

Applicant's Response: Please see an update to the traffic study enclosed with this letter.

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<sup>1</sup> The version of the application previously reviewed proposed 132 townhouses on approximately 18.4 acres.



**Issue Status:** LOS analyses for the Route 606 intersections with Douglas Court, Oakgrove Road, and Rock Hill Road were provided with the Applicant's April 20, 2007 traffic study update (please refer to the May 24, 2007 OTS referral for this document). These LOS analyses, however, are based on a development program of 132 dwelling units, not the 179 unit total currently proposed. While the incremental differences in unit counts would not result in a significant decrease in LOS, the Applicant should provide corrected LOS analyses (based on 179 dwelling units) for review. The larger issue with the LOS analyses, however, remains the unrealistic overall assumptions regarding improvements to be in place at the time of projected project buildout in 2008 (e.g., widening of Route 606 to six lanes; installation of additional turn lanes at the Route 606/Oakgrove Road intersection; signalization of the Route 606/Douglas Court intersection), which the Applicant's analyses indicate are necessary (even with 132 dwelling units) in order to provide adequate LOS (defined as LOS D or better per the Revised Countywide Transportation Plan) in this segment of the Route 606 corridor. The Applicant needs to identify and provide physical improvements which result in improved LOS in the vicinity of the site. Further discussion of this matter is necessary. Issue not resolved.

2. **Initial Staff Comment:** Significant regional road improvements are needed to provide safe and adequate access to the site at an acceptable level of service.

**Applicant's Response:** The Applicant understands that the background traffic is significant in the area of the Property. Applicant respectfully submits that it should not be the burden of this application to resolve the traffic conditions created by other already approved applications in the vicinity of the Property. Notwithstanding the foregoing, Applicant's enclosed draft proffers include commitments to make regional transportation contributions and monies for the widening of Oakgrove Road to the County.

**Issue Status:** Staff does not dispute the fact that there is significant background traffic on Route 606 and surrounding roads in the vicinity of the site, but the Applicant's position in its traffic study update (i.e., that the proposed development would result in conditions that are essentially no worse than what would be realized anyway given background conditions) does not obviate the need to provide safe and adequate access to the site. This is particularly relevant given the unrealistic assumptions made in the traffic study update (in order to demonstrate adequate LOS) and the fact that all traffic from the site will access Route 606. As noted in the Applicant's initial traffic study, Route 606 traffic is expected to increase to levels (estimated at 48,980 ADT by 2008) that warrant widening the roadway to six lanes. The application provides no physical off-site road improvements, instead proposing a regional road contribution ( $\$3,000.00/\text{unit} \times 179 \text{ units} = \$537,000.00$ ) and a separate contribution towards the widening of Oakgrove Road ( $\$57,750.00$ ). While these proposed contributions are appreciated, physical construction of improvements is needed. Further discussion of this matter is necessary. Issue not resolved.

3. **Initial Staff Comment:** As noted above and in the traffic study, significant regional road improvements are necessary to accommodate future background traffic at an acceptable

level of service (LOS D or better) in this part of the Route 606 corridor. A portion of the Applicant's regional road commitment to provide safe and adequate access to the site should include completion of the Oakgrove Road widening to a four-lane undivided section just north of Route 606.

**Applicant's Response:** Applicant understands that the background traffic is significant in the area of the Property. Applicant respectfully submits that it should not be the burden of this application to resolve the traffic conditions created by other already approved applications in the vicinity of the Property. Notwithstanding the foregoing, Applicant's enclosed draft proffers include commitments to make regional transportation contributions and monies for the widening of Oakgrove Road to the County. The portion of Oakgrove Road that OTS would like to see widened involves both developed and undeveloped parcels that are not within the control of the Applicant; notwithstanding the foregoing, please see a commitment in the proffers to contribute funds to the County for the widening of Oakgrove Road.

**Issue Status:** The Applicant's traffic study update (based on 132 dwelling units) indicates that the Route 606/Oakgrove Road intersection will operate at failing LOS even with a traffic signal and a separate southbound left turn lane on Oakgrove Road (the traffic signal is warranted and funded, and design is currently underway by VDOT). A separate left turn lane cannot be installed without widening Oakgrove Road to a four-lane section, which is necessary regardless of the number of trips generated by the proposed development in order to provide safe and adequate access to the site. The Applicant's proposal to provide a contribution (\$57,750.00) to fund a portion of the Oakgrove Road widening does not accomplish this objective. The Applicant should commit to completion of a four-lane (U4) section of Oakgrove Road (with necessary turn lanes) between Route 606 and Trefoil Lane (improvements are needed along the west side of Oakgrove Road from Route 606 northward for a distance of approximately 750 feet; improvements consistent with a four-lane section have been constructed by others along the entire east side of Oakgrove Road from Route 606 to Trefoil Lane). Issue not resolved.

4. **Initial Staff Comment:** The Applicant should consider reserving right-of-way for a future street connection in the northeast corner of the site to link to Hall Road once other properties in the area develop. Such a connection would provide for improved circulation and emergency vehicle access to the area.

**Applicant's Response:** Applicant has proposed access to the community via Trefoil Lane and Grammercy Terrace (subject to approval by the Encore at Oak Grove HOA). Notwithstanding these additional two entrances, Applicant has reserved right-of-way for Hall Road should a street connection be necessary in the future.

**Issue Status:** The referenced right-of-way reservation is not shown on the plat, and the Applicant's response is not consistent with the responses provided to Comments #4 and #5 in VDOT's first referral. The Applicant needs to clarify its position on this matter. Please note that OTS is not advocating a through street connection to the future Davis Drive corridor. Additional local road access to the site from Oakgrove Road via Hall Road would provide improved circulation and

**emergency vehicle access to the area, particularly given the apparent uncertainty regarding the proposed street connection with Grammercy Terrace. Issue not resolved.**

5. Initial Staff Comment: Please confirm that the proposed street connection to Grammercy Terrace is acceptable to the Encore at Grovewood Homeowners' Association (HOA) as Grammercy Terrace is a private street that is currently maintained by the HOA.

Applicant's Response: Applicant understands that it will need to coordinate with Encore at Oak Grove HOA for consent to connect with Grammercy Terrace. Applicant will be happy to confirm the results of such negotiations as soon as possible.

**Issue Status: Please advise as to the status of negotiations/coordination with the adjacent HOA. Without the Grammercy Terrace connection, the connection to the existing portion of Hall Road (recommended by VDOT) takes on even greater importance. Issue not resolved.**

6. Initial Staff Comment: Pursuant to the Facilities Standards Manual (FSM), private street categories/standards are determined by estimated traffic volumes. Please include estimated average daily trips (ADT) for each private street shown on the plat as this will dictate the private street category that is required.

Applicant's Response: Acknowledged. Please see the enclosed updated CDP for the requested information.

**Issue Status: Private road categories and vehicle counts shown on plat are consistent with FSM requirements. Issue resolved.**

7. Initial Staff Comment: An appropriate transit contribution should be provided for the residential units proposed on site. Other similar approved applications have agreed to \$500.00 per unit for such services.

Applicant's Response: Acknowledged. Please see the enclosed proffer statement to confirmation of this commitment.

**Issue Status: While per unit transit contributions have been requested and provided with many previous rezoning applications, OTS is moving toward alternative approaches to transit service provision. Specifics regarding transit service to this site require further discussion. Issue not resolved.**

## Conclusion

As currently proposed, the application does not meet the LOS policies of the Revised CTP, and OTS does not recommend approval at this time. OTS recommends that a meeting be held with the Applicant and VDOT to discuss the transportation issues with this application.

cc: Andrew Beacher, Assistant Director, OTS  
Nancy Gourley, Transit Division Manager, OTS  
Kevin Nelson, Transportation Engineer, VDOT

**From:** Heidi Siebentritt  
**To:** Mike.Elabarger@loudoun.gov  
**Date:** 2/14/2007 5:51 PM  
**Subject:** ZMAP 2005-0038 Townes at Autumn Oaks

Mike:

Please accept this email as my referral comment for the subject property. I have reviewed the Phase 1 archaeological survey report prepared by Thunderbird in September 2002. Two archaeological sites were identified (44LD927 and 44LD928), both associated with 20th century residences and ancillary structures. The sites relate to mid-20th century occupation of the area. These sites are not considered eligible for listing in the National Register of Historic Places and no further work is recommended by the consultant. I have no issues with these findings and the recommendation.

Heidi

Heidi E. Siebentritt  
Historic Preservation Planner  
Department of Planning  
3rd Floor  
1 Harrison Street, SE  
Leesburg, VA 20177  
(703) 777-0246

**County of Loudoun**  
**Department of Planning**

**MEMORANDUM**

**DATE:** January 19, 2007

**TO:** Mike Elabarger, Project Manager  
Planning Department

**FROM:** Michael "Miguel" Salinas, Senior Planner  
Community Planning

**SUBJECT: ZMAP 2005-0038 The Townes at Autumn Oaks, 1<sup>st</sup> Referral**

**BACKGROUND**

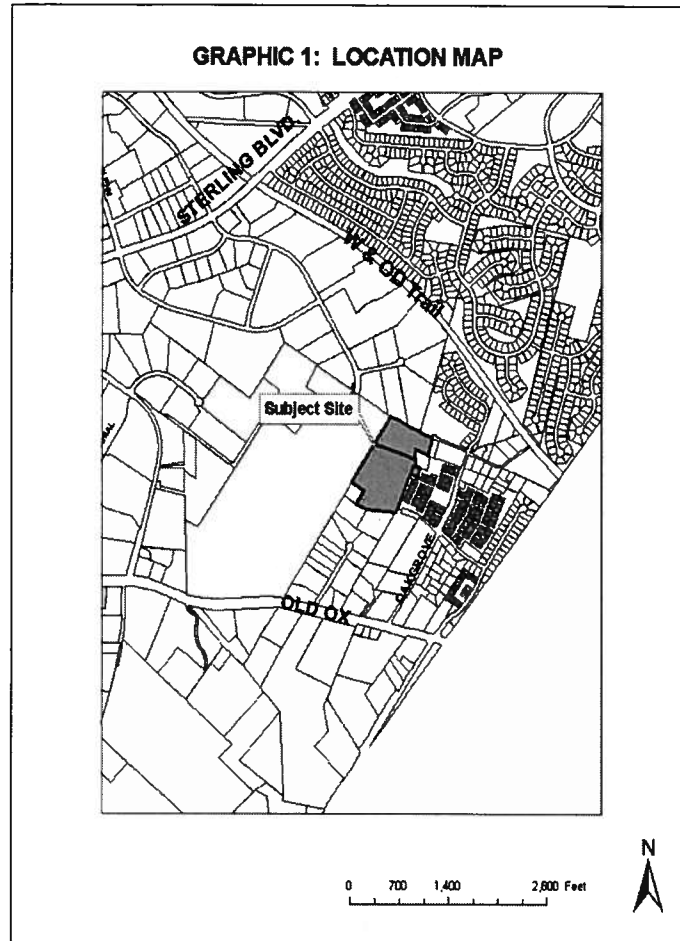
The Peterson Companies (the "applicant") is requesting approval to rezone approximately 18.5 acres (the "subject site") from R-1 (Single Family Residential) to PD-H6 (Planned Development – Housing), administered as R-8, for the development of up to 132 single-family attached (SFA) townhomes at a density of approximately 7 dwelling units per acre (including Affordable Housing Units). The subject site is located north of Old Ox Road (Route 606), west of Oakgrove Road, and south of the Washington and Old Dominion (W&OD) Trail.

The subject site is adjacent to a mix of existing and planned developments, including:

- Transdullies Center II (vacant land zoned PD-IP) and the Brookhaven Subdivision (single-family detached, zoned R-3) to the north;
- Grovewood residential community to the east (single-family attached, zoned R-16) and Willow Oak Business Center to the southeast (commercial/industrial zoned PD-GI) ;
- Single-family detached home and vacant land to the south (zoned R-1); and
- Centennial Dominion Business Park (vacant land zoned PD-RDP) to the west.

The subject site is located within the Route 28 Tax District. The purpose of the district was to accelerate the timing of transportation improvements for the arterial through an additional tax assessment to property owners of commercial and industrial properties. The W&OD Trail is located north of the subject site.

Several elements of the County's Green Infrastructure are present on the subject site including hydric soils, forest cover, wetlands, specimen trees, and a tributary to the Indian Creek. The subject site lies within the Broad Run watershed. The southern portion of the subject site also includes the Quarry Overlay District. Adjacent to the western boundary is a 50-foot wide power line right-of-way (ROW).



## COMPLIANCE WITH THE COMPREHENSIVE PLAN

The policies of the Revised General Plan, the Eastern Loudoun Area Management Plan (ELAMP), the Revised Countywide Transportation Plan (CTP), and the Loudoun County Bicycle and Pedestrian Mobility Master Plan (Bike/Ped Plan) govern the subject site. Being the newer of the two plans, the Revised General Plan supercedes the ELAMP when there is a policy conflict between the two (Revised General Plan, text, p. 1-3). The subject site is located in the Sterling community of the Suburban Policy Area. The subject site is located within the Route 28 Highway Tax District, but is located where residential land uses are allowed. The majority of the site is planned for High Density Residential land uses and the remainder for residential (see land use analysis below).

## ANALYSIS

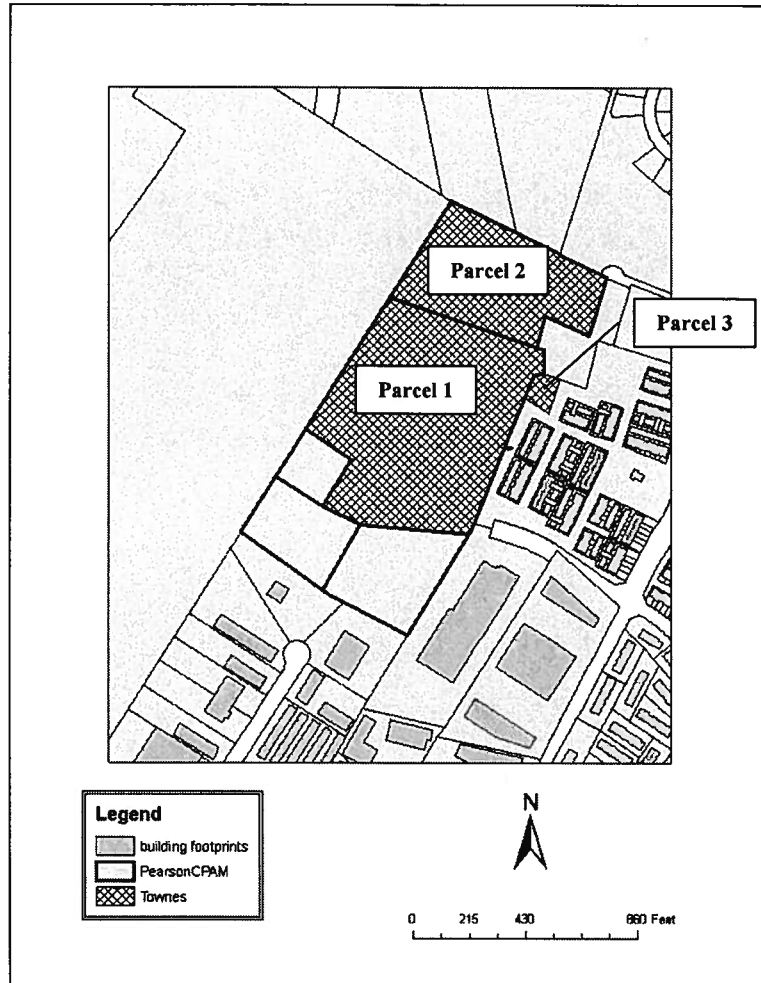
### A. LAND USE

#### 1. Density

The subject site is located within the Route 28 Highway Tax District, where the Revised General Plan states that residential land uses are limited to three specific locations,

including the Oak Grove area, and areas designated as High Density Residential (HDR) on the Planned Land Use map (Revised General Plan, Policy 3, p. 6-17).

**GRAPHIC 2: LOCATION OF THE TOWNES AT AUTUMN OAKS VS. PEARSON CPAM**



As shown above in Graphic 2, the Pearson Reserve Comprehensive Plan Amendment (CPAM 2004-0007) amended the Revised General Plan's Planned Land Use Map to designate HDR within the Route 28 Highway Tax District on five specific parcels totaling approximately 24 acres at a maximum density of 8 dwelling units per acre. Two of the three parcels that make up the subject site are governed by the Pearson Reserve CPAM. The third parcel, approximately .29 acres in size, is not associated with the Pearson Reserve CPAM, but is part of the larger Oak Grove area of the Route 28 Tax District where residential land uses within the tax district are allowed at a maximum density of 4 dwelling units per acre (Revised General Plan, Policy 3, p. 6-17). The applicant has chosen not to place residential land uses on the small parcel (.29 acres). Table 1 below summarizes the proposed densities, based on a total 115 du's and exclusive of Affordable Dwelling Units (ADU's), for that portion of The Townes at Autumn Oaks planned as HDR.

**Table 1: Proposed Densities vs. Maximum Densities Allowed**

Planned Land Use	Acreage	Density Proposed	Maximum Density Allowed
HDR (Parcels 1 & 2)	18.14	6.3 du's/acre	8 du's/acre

The overall density proposed for Parcels 1 & 2 does not exceed the maximum density allowed per the Pearson Reserve CPAM (CPAM 2004-0007). As shown in Table 1, the applicant is proposing to place all residential dwelling units on the two parcels designated HDR.

## **2. Land Use Mix**

Parcels 1 & 2 are planned for HDR land uses. Parcel 3 is planned for lower-density residential uses, which includes a minimum mix of residential, public/civic and parks/open space. The applicant, however, has chosen to set aside Parcel 3 (.29 acres) and contribute that portion to the overall open space of the development. Sheet 6 of 7 in the applicant's Concept Development Plan (CDP) includes a tabulation of land uses that staff has summarized in Table 2 below. When Parcel # 3 is factored in to the remainder of the development, the applicant's proposed development does not meet the recommended land use mix for public/civic uses of the Revised General Plan (RGP) for HDR developments (Revised General Plan, Policy 3, p. 6-19).

**Table 2: Land Use Mix per HDR Plan Policies**

Land Use Category	Acreage	% Proposed	RGP% Recommended
High Density Residential	10.69	58.0%	40% - 60%
Office & Light Industrial	-	-	0% - 20%
Public & Civic	-	-	10% - No Maximum
Parks & Open Space	7.74	42.0%	30% - No Maximum
<b>Totals</b>	<b>18.43</b>	<b>100.0%</b>	

Staff recommends the applicant include the right amount of civic and public space within the development to meet the recommended land use mix for HDR development. Civic/public uses are defined as public or quasi-public institutional uses in residential or business areas that primarily serve the immediate community and that, due to their small size, design, and limited ancillary activities, are compatible with the surrounding residential or business uses. Examples of such uses include churches, fire and rescue facilities, schools, day care centers, group homes, community centers, post offices, and community club houses (Revised General Plan, Glossary, p. G-2).

The RGP does allow for the rezoning of properties less than 50 acres (outside of Keynote Employment designations) to vary from the land use mix by surveying the land uses within a 1,500-foot radius of the site, demonstrating that an alternative land use mix is appropriate for the site, and including a mix that fulfills one or more needs within the larger, surrounding community (Revised General Plan, Policy 8, p. 6-7). Even if a variation from the recommended land use mix is proposed, the development should



continue to achieve several county policy and design objectives for both HDR and Residential neighborhoods as identified in the Revised General Plan, Revised Countywide Transportation Plan, and the Bike/Ped Plan. Several of these objectives are expanded upon in Section C below.

### 3. Open Space

Residential neighborhoods within the Suburban Policy Area should feature a mix of open space. Open space can include a variety of passive, active and recreational open space, including woods, wetlands, wet ponds, neighborhood and community parks, community gardens, athletic fields, tot lots, hiking and biking trails, streetscape areas, and other natural or man-made features that function as amenities for a planned development (Revised General Plan, text and Policy 1, p. 6-10). In particular, design characteristics for HDR neighborhoods call for a sufficient and hierarchical amount of accessible (within 1,500 feet of every residence) and pedestrian-friendly open space. Required buffer areas, "leftover spaces", parking and street landscaping cannot account for more than 25% of the open space requirement (Revised General Plan, Policy 3, p. 6-11).

The applicant proposes a mix of natural, passive, and active open space within the development that includes forested cover, town green/civic space, park and recreational area, gazebo, 2 tot lots, perimeter open space, a play field adjacent to the SWM/BMP pond, half-loop trail, and a rectangular open space within the north central area of the subject site that is enveloped on four sides by single-family attached dwelling units. According to sheet 6 of 7 of the CDP, the applicant is proposing a total of 7.74 acres of open space (42% of the subject site's land area). At first appearance, the percentages of overall open space proposed within the development exceed the recommended percentages that are called for in the land use mix for areas planned as HDR. A more specific breakdown of open space, however, has not been provided in the CDP, including the size and percentages of interior and perimeter open space. The applicant has not adequately demonstrated the development is staying below the maximum 25% perimeter open space requirement policy of the plan.

***The overall density proposed for Parcels 1 and 2 does not exceed the maximum density allowed per the Pearson Reserve CPAM (CPAM 2004-0007). Based on the size of the subject site, no more than approximately 1.4 acres of open space can be perimeter open space. Staff recommends the applicant provide a more specific breakdown of open space in the CDP (including the size and percentages of interior and perimeter open space) that demonstrates the development is staying below the maximum 25%, perimeter open space requirement policy of the plan.***

***The Townes at Autumn Oaks does not meet the recommended land use mix for High Density Residential for civic/public uses. Staff is requesting the applicant revise the CDP for the Townes at Autumn Oaks to include civic/public uses in order to meet the recommended land use mix. The applicant may vary from the recommended land use mix by surveying the land uses within a 1,500-foot radius of the site, demonstrating that an alternative land use mix is appropriate for the***

***site, and including a mix that fulfills one or more needs within the larger, surrounding community (Revised General Plan, Policy 8, p. 6-7. Even if a variation from the recommended land use mix is proposed, the development should continue to achieve several county policy and design objectives for both HDR and Residential neighborhoods as identified in the Revised General Plan, Revised Countywide Transportation Plan, and the Bike/Ped Plan. Several of these objectives are expanded upon in Section C below.***

## **B. EXISTING CONDITIONS**

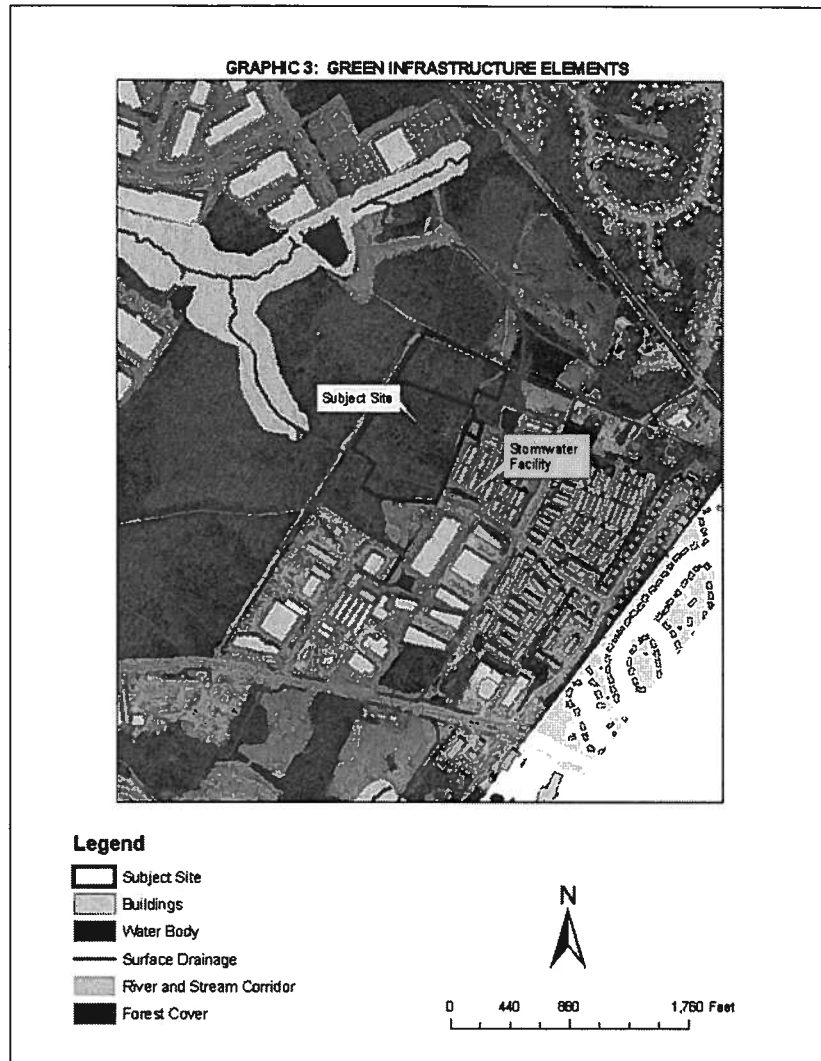
The subject site is relatively flat and generally drains to the west. Graphic 3 below shows green infrastructure elements that currently exist on the subject site, including forest cover and an existing east-west, 4-8-foot wide intermittent stream that bisects the southern half of the subject site.

### **1. Streams and Wetlands**

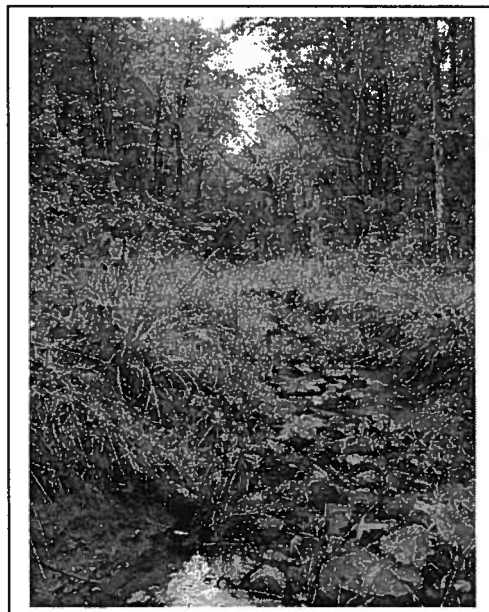
The overall health and quality of the Broad Run is dependent upon the protection and buffering of its tributaries and wetlands such as those that exist on the subject site (Revised General Plan, text, p. 5-12). Although the stream segment is not part of the County's stream corridor, the County encourages the protection and preservation of smaller stream segments through land development techniques that minimize the disturbance and modification of such segments (Revised General Plan, Policy 11, p. 5-9).

A wetland delineation report prepared by Wetland Studies and Solutions, Inc. (WSSI) and dated July 26, 2002 was completed for Pearson Landing at Oak Grove. A portion of the study area included the subject site. A historic stream channel on the property was altered in order to convey stormwater runoff from an off-site stormwater facility to the east, resulting in the current intermittent stream shown in Graphic 3 that bisects the southern portion of the site. The stream is within the Broad Run watershed (Revised General Plan, Major & Sub-Watersheds map, p. 5-13) and conveys stormwater run-off from the stormwater facility to Indian Creek, a branch of the Broad Run. The run-off is eventually drained into the Broad Run. Although not depicted in Graphic 3, jurisdictional wetlands, including Palustrine Forested wetlands (PFO) and Palustrine Emergent wetlands (PEM) due to groundwater seepage, ponding, and a high water table, are associated with the intermittent stream.

Sheets 5 and 7 of the applicant's CDP illustrate their intent to preserve the intermittent stream and the wetlands that are in-line with the stream. The applicant's CDP also shows the protection of an isolated, jurisdictional PFO just to the north of the intermittent stream. All together, the jurisdictional stream and wetlands would be preserved as features of the development's open space. A visit to the site by staff did show physical evidence of stream bank erosion and scouring of the intermittent stream – possibly from the stormwater runoff being conveyed from the off-site stormwater facility to the east. Erosion of the stream bank can increase sedimentation and detrimentally impact the overall water quality of the Broad Run.



**GRAPHIC 4: INTERMITTENT STREAM ON SUBJECT SITE**



***Staff supports the applicant's protection of the intermittent stream and its associated wetlands by preserving the area as natural open space. Staff recommends the applicant commit to stream bank and stream bed restoration that will improve its ability to adequately convey stormwater run-off and enhance the natural and aesthetic functions of the stream corridor.***

## **2. Forest Cover**

The preservation of existing forest cover into the overall site design to the maximum extent possible can buffer differing land uses from each other, protect wildlife habitat, and improve the overall water quality of the intermittent stream and wetlands by helping to reduce sedimentation and erosion, trap and remove pollutants such as nitrogen, phosphorus metals, and organic compounds, and store flood waters. For these reasons, the Revised General Plan calls for the preservation, protection and management of forests and natural vegetation and for the submittal and approval of a tree conservation, including any designated tree save areas, prior to any land development (Revised General Plan, Policies 1 & 3, p. 5-32).

A tree stand evaluation prepared by WSSI and dated July 26, 2002 was completed for Pearson Landing at Oak Grove. The study identified several forest stands. A large portion of the site (including the eastern portion of the aforementioned intermittent stream) is comprised of a predominant Virginia Pine/Mixed Hardwood forest stand. The western portion of the intermittent stream includes Bottomland Hardwood. The study also included a general pedestrian survey that identified several specimen trees with an approximately 30" or greater dbh, including a red maple along the stream, a yellow poplar, red oak and white oak along the northwestern boundary of the subject site, and a white oak and eastern red cedar near the proposed tot lot at the eastern end of the site.

Although a majority of the tree stands would be cleared for residential development, the applicant's CDP (Pages 5 and 7) shows the applicant preserving forest cover at the southern end of the subject site, as well as forest cover along the perimeter of the development adjacent to planned or zoned non-residential development. Staff supports the preservation of forest cover and vegetation adjacent to the intermittent stream and wetlands to act as a riparian buffer to reduce sedimentation and erosion and protect the surface water quality of the stream and the larger Broad Run watershed. The applicant, however, has not identified tree conservation areas on the CDP, nor has the applicant included specimen trees identified from WSSI's tree stand evaluation. Also, protecting and enhancing forested areas along the perimeter of the development can accomplish two objectives: 1.) Buffer the residential development from future non-residential land uses to the west and northwest, and 2.) Distinguish the development by providing a visual and aesthetic separation from surrounding residential communities. Last, the illustrative provided by the applicant shows a 6-foot tall privacy fence along the western and northwestern portion of the subject site. Along the western boundary, the fence is proposed to be located approximately 80 feet in from the boundary line. The placement of the screen fence significantly in from the boundary line, and the location of a trail

segment outside the screen fence, would result in unnecessary clearing of tree stands and possible specimen trees.

***Plan policies support the preservation of forest cover and vegetation adjacent to the intermittent stream and wetlands to act as a riparian buffer to reduce sedimentation and erosion and protect the surface water quality of the stream and the larger Broad Run watershed. Staff recommends the applicant commit to tree conservation areas on the Concept Development Plan that include: 1) Preserving forest stands at the southern portion of the subject site and adjacent to both sides of the intermittent stream and associated wetlands, 2) Preserving existing forest stands along the perimeter of the development to the maximum extent possible, while enhancing the perimeter buffer with additional evergreen plantings, 3) Relocating the 6-foot screen fence to the boundary of the development, 4) Minimizing the impact of pruning and clearing of forested cover and specimen trees for trail construction; and 5) Identifying the location of the subject site's specimen trees on the Concept Development Plan and integrating them into the site design of the development.***

### **3. Stormwater Management**

The Revised General Plan calls for the protection of surface water resources from contamination and pollution and preventing the degradation of water quality in the watersheds (Revised General Plan, text, p. 5-12). Increases of impervious land cover due to development, such as rooftops and roadways, can concentrate and increase the rate and volume of stormwater run-off from development. Stormwater can typically carry pollutants such as litter, salts, oil, grease, and metals. The Revised General Plan promotes low impact development (LID) techniques, which integrate hydrologically functional designs with methods for preventing pollution and detrimental impacts to surface water quality of the stream (Revised General Plan, Policy 2, p. 5-17). While the riparian buffer can be effective at trapping sediment and pollution from storm water run-off produced by the development, the buffer cannot completely protect it from accelerated sedimentation and erosion. To be most effective, riparian buffers should be augmented by applying best management practices (BMP) that collect and treat run-off and sediments nearer to their source while providing on-site provisions for the infiltration of stormwater.

The applicant's CDP places a possible Stormwater Management (SWM)/Best Management Practice (BMP) pond adjacent to the riparian buffer associated with the intermittent stream. The pond is placed within approximately ten to twenty feet of the forested wetland that is in-line with the stream.

***Staff recommends relocating the pond outside of the riparian buffer towards the playfield and closer to the roadway. Staff also recommends providing a vegetative buffer around the pond, and in particular, adjacent to the wetland. Relocating the pond and providing a vegetative buffer will increase the effectiveness of the riparian buffer by expanding the area necessary for trapping sediments and pollutants. Since the general location of the pond is in such a***

***highly visible location, the applicant should consider a retention pond ("wet pond") for both aesthetic reasons and increased pollution removal efficiency.***

#### **4. Historic Resources**

The Revised General Plan states the County will require an archeological and historic resources survey as part of all development applications and include a plan for recordation and preservation of any identified resources, along with measures for mitigation and adaptive reuse (Revised General Plan, Policy 11, p. 5-36).

The applicant submitted a report dated September 2002 and titled A Phase I Archeological Investigation of a 26.4 Acre Property on Trefoil Lane, Loudoun County, Virginia. The report was conducted by Thunderbird Archeological Associates, Inc. The Phase I indicated two archeological sites on the property. The applicant notes that no additional archeological work is recommended.

Staff's review of the submitted report will be sent under separate cover.

#### **C. SITE DESIGN**

The Revised General Plan states that residential design features should include an efficient and compact site and roadway layout with adequate open space (active, passive, and natural), streetscapes that include sidewalks, street trees, pedestrian-scale lighting, pedestrian and roadway linkages to other neighborhoods and communities, and the full protection of the green infrastructure. In addition, smaller HDR neighborhoods will focus on a public green or park, civic buildings such as a church or community center, or a small neighborhood commercial center (Revised General Plan, text, p. 6-16).

Additional characteristics of HDR neighborhoods, as defined in the Revised General Plan include:

- A mix of duplex, single-family attached and multi-family dwelling units;
- Compatible civic and public uses required to support residents designed as a residential neighborhood center;
- A sufficient and hierarchical amount of space set aside in the form of neighborhood and community parks, greens, trails, and greenbelts so that all residents, especially children, can easily walk to and enjoy the open space;
- Groupings of structures, uses and facilities that take into account the site's topography, vegetation, habitat, and hydrology;
- Principle vehicular access points designed to encourage smooth traffic flow; and
- Yards, fences and vegetative screening at the edges of the neighborhood provided to protect residents from undesirable views, noises, lighting, or other off-site influences, or to protect residents of adjoining residential neighborhoods from similar influences (Revised General Plan, Implementation, pp. 11-9 & 11-10).

Since approximately 98% of the subject site's land area is planned for HDR land uses, HDR design characteristics have been considered for the entire subject site.

## 1. Open Space

Residential neighborhoods within the Suburban Policy Area should feature a mix of natural, passive, and active open space that may be comprised of forests, wetlands, wet ponds, neighborhood and community parks, community gardens, athletic fields, tot lots, hiking and biking trails, streetscape areas, and other natural or man-made features that function as amenities for a planned developments (Revised General Plan, text and Policy 1, p. 6-10). In particular, HDR design guidelines call for a sufficient and hierarchical amount of space set aside within neighborhoods that are accessible (within 1,500 feet of every residence) and pedestrian friendly. Required buffer areas, "leftover spaces", parking and street landscaping cannot account for more than 25% of the open space requirement (Revised General Plan, Policy 3, p. 6-11).

The applicant proposes a mix of open space within the development's southern portion of the subject site, including forest cover, a town green/civic space, a park and recreational area, gazebo, and tot lot. Staff supports the preservation of the forest cover and vegetation on the subject site to the maximum extent possible. The natural, forested open space proposed adjacent to the intermittent stream and wetlands at the southern end of the site can also function as a riparian buffer. In order to best function as a riparian buffer, however, natural open space should be left in a mostly undeveloped state (Revised General Plan, text, p. 6-10). Contrary to this policy, the applicant has included more structured open space within the interior of the forest cover, including a town green/civic space, a tot lot, and a park and recreational area. These various types of open spaces are incompatible with a natural, forested riparian buffer and should be dispersed throughout the site to create more secure, accessible and integrated open spaces within the development.

Stormwater management facilities can be counted as open space if they are developed as year-round amenities (Revised General Plan, Policy 9j, p. 6-11). As recommended in Section B above, the SWM/BMP pond should be shifted northeast to approximately where the proposed playfield is located. It is possible the SWM/BMP pond could be counted as interior open space if the applicant commits to constructing a wet pond, maintaining a segment of the shared use trail within close proximity to the pond, and relocating the gazebo identified in the CDP adjacent to the pond.

Last, plan policies support not counting the space adjacent to the north side of the Trefoil Lane access into the development against the 25% maximum perimeter open space requirement if the applicant provides an enhanced entrance. The "leftover space" could be classified as passive open space if the applicant considers designing the space to include a landscaped pocket garden, garden benches, low seating walls, distinctive paving patterns, signage, public art, and/or water features that enhance the identity and character of the development.

***Plan policies support the preservation of the forest cover and vegetation on the subject site to the maximum extent possible. Staff recommends the applicant: 1.) Commit to preserving the natural, undeveloped, forested open space adjacent to the intermittent stream and wetlands at the southern end of the site as a riparian buffer, 2.) Remove the town green/civic space, tot lot, and park and recreational***

***area from the riparian buffer, as these types of open spaces are incompatible with the interior of the riparian buffer, 3.) Relocate the town green/civic space and tot lot within the site to create more secure, accessible and integrated open spaces within the development, 4.) Commit to developing the SWM/BMP pond as a year-round amenity and as interior open space that could include a wet pond, placing a segment of the shared use trail within close proximity to the pond, and relocating the gazebo identified in the CDP adjacent to the pond, and 5.) Designing the "leftover space" adjacent to the north side of the Trefoil Lane access into the development as interior, passive open space that may include a landscaped pocket garden, garden benches, low seating walls, distinctive paving patterns, signage, public art, and water features that enhance the identity and character of the development.***

## **2. Main Open Space**

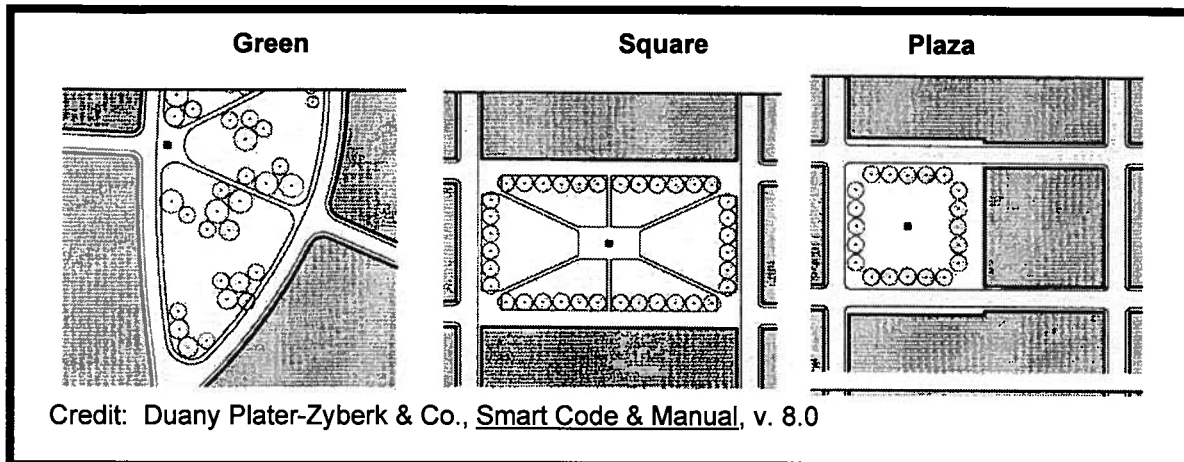
Smaller HDR neighborhoods will focus on a public green or park, civic buildings such as a church or community center, or a small neighborhood commercial center (Revised General Plan, text, p. 6-16). The placement of the town green within the forest cover does not allow the main open space to function as the central gathering place for residents of the development. Main open spaces are outdoor spaces defined by a combination of physical constraints, including their intended uses, size, landscaping, and their fronting buildings. The location of the neighborhood green within the forested open space loses its spatial definition and its unique distinction as the main gathering space for the neighborhood. It's more formalized design is also incompatible with the natural surroundings of the riparian buffer.

Staff recommends the applicant consider relocating the development's town green/civic space closer to the geographic center of the development. One suggestion is to redesign the open space the applicant has currently designated in the central part of the development into the main open space of the neighborhood – either as a square, plaza, or green. As currently proposed in the CDP, this interior open space is completely contained by the rear elevations of dwelling units located along the entire perimeter of the block – isolating the space from the rest of the development. The open space can be redesigned into the main public space of the development by opening up at least 50% of the block perimeter to the surrounding streets. If a more formalized square or plaza is proposed, the space can be spatially defined by fronting buildings and public frontages including streets, sidewalks, and trees. A square tends to have a mix of paths, lawns and trees whereas plazas tend to be primarily pavement. A green, on the other hand, is a less structured park used primarily for passive recreation that can also be spatially defined by more naturalistically disposed landscaping. Designed as a square, plaza, or green, the main public space of the development can function as the central gathering place for residents.

Graphic 5 below provides a diagram of the types of main public space that can be incorporated into the development. Graphic 5 also shows differences in each related to size, spatial definition and landscaping.



GRAPHIC 5: TYPES OF PUBLIC SPACE



Civic and public uses include churches, fire and rescue facilities, schools, day care centers, group homes, community centers, post offices, and community club houses. If the applicant is proposing to meet their recommended land use mix by incorporating civic/public uses into the development, staff recommends the applicant consider locating a civic use either within the main open space or adjacent to such space.

***Staff recommends the applicant relocate the development's town green/civic space closer to the geographic center of the development. Staff suggests the applicant consider redesigning the open space identified in the CDP and located centrally within the development into the main open space of the neighborhood – either as a square, plaza, or green. Staff also recommends the applicant design the main open space in such a manner that it becomes a focal point and central gathering point for residents of the development by opening up at least 50% of the block perimeter to the surrounding streets. If the applicant is proposing to meet their recommended land use mix by incorporating civic/public uses into the development, staff recommends the applicant consider locating the building either within the main open space or adjacent to such space.***

### 3. Tot Lots

Tot lots are active open spaces that should be dispersed throughout the development. The tot lots proposed within the forested open space and Parcel 3 are incompatible with the design and functionality of this type of recreational open space. The tot lot located within the forested open space is impractical for both security and accessibility reasons. The tot lot located on Parcel 3 is impractical for the same reasons.

Tot lots are smaller in size than neighborhood parks and can be incorporated into residential blocks to provide greater pedestrian and bicycle accessibility – crucial to parks that are predominantly used by children. Tot lots located near or adjacent to residential homes can also enhance the security and supervision of the children using the space. A tot lot could be located within one of the blocks located near the western or northern perimeter of the subject site in order to break up the length and monotony of the blocks and add visual variety to the neighborhood. If a green is proposed as the

development's main open space, then staff is recommending the applicant consider the incorporation of a tot lot into the space. Parcel 3, where a tot lot is proposed in the CDP, includes specimen trees identified in the tree stand evaluation prepared by WSSI (see Section B above). Staff would be supportive of counting Parcel 3 as natural open space, and not against the 25% maximum perimeter open space, if the tot lot is relocated to a more suitable area and Parcel 3 is left as a tree conservation area that can also be utilized for screening and buffering of the adjacent residential development.

The applicant has also not provided a more detailed description of the tot lots. Tot lots should be a minimum 5,000 square feet in size (Revised General Plan, text & Policy 9, pp. 6-10 and 6-11). Ideally, tot lots should incorporate a safety barrier for children from nearby street traffic, including low, transparent fencing, bushes, trees, and benches. In addition, the applicant should specify the types of amenities, i.e. equipment that will be included in the tot lot designs.

***Staff recommends the applicant relocate the proposed tot lots to reflect greater accessibility and safety for this age-specific, active, open space. Two options include relocating the tot lots within one of the blocks located near the western or northern perimeter of the subject site, or within the neighborhood green if one is proposed as the main open space. With the relocation of the proposed tot lot from Parcel 3, staff recommends leaving the parcel as open space, designating the parcel as a tree conservation area that can preserve the existing specimen trees and screen and buffer the neighborhood from adjacent residential development. Last, staff recommends the applicant provide more site design detail of the tot lots and commit on the Concept Development Plan to the minimum 5,000 square foot size, landscaped or structural safety barriers, and the types of equipment and other amenities on each site.***

#### **4. Shared Use Trail**

Shared use trails will be planned and constructed in accordance with the County's Green Infrastructure policies of the Revised General Plan, the Revised Countywide Transportation Plan, and the Loudoun County Bicycle and Pedestrian Mobility Master Plan (Revised Countywide Transportation Plan, Policy 15, p. 2-11). All land development applications are encouraged to provide off-street bicycle and pedestrian circulation systems that augment the on-street system (Loudoun County Bicycle and Pedestrian Mobility Master Plan, pp. 33).

Staff supports the incorporation of a trail into the development in order to achieve the County's goal of incorporating shared use trails into all community designs. A shared use trail, when located as passive recreation within natural open space areas, can also be used to enhance the subject site's appreciation for the wetlands and intermittent stream. Since the applicant is proposing sidewalks along both sides of all residential streets (see below), the shared use trail would not serve as a substitute for the primary pedestrian facility, but would rather function more as passive open space used for neighborhood recreational and fitness activity. Staff recommends the applicant construct a looped trail (as opposed to the currently-proposed half-loop) to increase the recreational opportunities afforded to the development's residents. A looped trail can

provide a safe and barrier-free option to promote recreational exercise. A looped trail could also be located to provide direct access to the main open space of the development and to the proposed tot lots. One option is for the applicant to loop the trail around the perimeter of the development where the existing forest cover can be incorporated to the maximum extent possible. Wherever the trail is located, the applicant should extend or locate the trail in such a way that direct access can be provided to the main open space of the development and the proposed tot lots.

The application provides little detail related to the design of the trail. Design criteria for the shared use trail should be in accordance with nationally accepted design guidelines established by organizations such as the American Association of State and Highway Transportation Officials (AASHTO) and the Americans with Disabilities Act (ADA) (Revised General Plan, Policy 9d, p. 6-11 & Revised Countywide Transportation Plan, Policy 8, p. 2-10). The trail should be designed to accommodate pedestrians, joggers, dog walkers, and others are also likely to use such paths. The CDP (Sheet 6 of 7) indicates an 8-foot wide trail. Staff is supportive of the proposed 8-foot width so long as the reduced width is consistent with the width of any offsite trail it would connect to. According to AASHTO and the county's bike/ped plan, a width of 8 feet (as opposed to 10 feet) can be used where bicycle traffic is expected to be low, pedestrian use of the facility is not expected to be more than occasional, there will be good horizontal and vertical alignments providing safe and frequent passing opportunities, and during normal maintenance activities the path will not be subjected to maintenance vehicle loading conditions that would cause permanent edge damage. The trail should be a two-directional path. (Loudoun County Bicycle and Pedestrian Mobility Master Plan, p. 42 & Guide for the Development of Bicycle Facilities, AASHTO, p. 35-36). Additional design criteria specified by AASHTO related to clearance, horizontal alignment, grade, sight distances, drainage and lighting should be adhered to.

The trail should also minimize the cross flow by motor vehicles where the trail intersects with roadways. Based on the current network of proposed streets within the development, a looped trail could potentially cross at least three streets. The intersections between paths and roadways are often the most critical issue in shared use trail design. According to AASHTO, any midblock crossings should be far away enough from existing intersections between roadways to be clearly separate from the activity that occurs as motorists approach these intersections. Where the trail crosses within close proximity to an intersection, staff recommends the applicant commit to design options and strategies that will increase the safety of trail users from conflicts with motor vehicle user. Such options and strategies may include intersecting the street at a 90-degree angle, providing unobstructed sight lines for both motorists and trail users, providing signage to increase motorist awareness of the crossing, providing a visible crosswalk across the intersection, and traffic calming techniques to slow vehicular traffic.

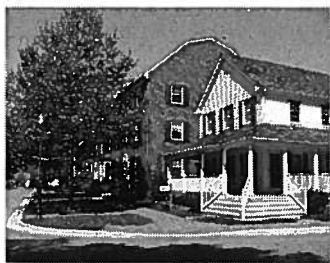
***Staff supports the incorporation of a trail into the development to be used for neighborhood recreational and fitness activities and to enhance the subject site's appreciation for the wetlands and intermittent stream. The trail should be two-directional and designed to accommodate pedestrians, joggers, dog walkers, and***

***others who are also likely to use such path. Staff recommends the applicant construct a looped trail along the perimeter of the development that includes access to the open spaces, tot lots, and main open space, either directly or through trail extensions. Staff also recommends the applicant commit to a trail that conforms to the nationally accepted design guidelines established by organizations such as the American Association of State and Highway Transportation Officials (AASHTO) and the Americans with Disabilities Act (ADA). The trail should also take into careful consideration any midblock or intersection crossings with roadways. Staff recommends the applicant commit to design options and strategies that will increase the safety of trail users from conflicts with motor vehicle user.***

### **5. Pedestrian Facilities & Linkages**

Pedestrian concerns should take a high priority in a HDR neighborhood like the Townes at Autumn Oaks. Careful consideration to the design of the streetscape can create a vibrant public realm, foster greater pedestrian mobility within the development and to adjacent developments, and contribute to the overall aesthetic quality of the neighborhood. The applicant's CDP (Sheet 6 of 7) provides minimal detail related to pedestrian circulation. The CDP shows private road easements of 39 feet with 25-foot travelways and 4-foot sidewalks within the public access easements. The CDP also shows sidewalks on both sides of the streets, but the internal sidewalk network does not demonstrate a continuous, connected system. The applicant has also incorporated curb extensions into the development. Residential streets should have a minimum width of 5 feet with vegetated buffers between the sidewalk and curb of no less than 2 feet (Loudoun County Bicycle and Pedestrian Mobility Master Plan, Policy 2a, p. 31). A vegetated buffer can increase the safety of pedestrians from motor vehicles within the roadway, can add green space to the development, and provide a consistent design that ties the neighborhood residences together. A minimum 4-foot vegetated buffer is ideal for the planting of trees between the sidewalk and roadway. Trees planted in a regularly-spaced pattern with shade canopies that, at maturity, clear the maximum building height of the SFA homes, can create a more pleasant walking experience. Any landscaping included within the curb extensions, however, should be low level. Graphic 6 below demonstrates two good examples of a pedestrian-friendly streetscape. Sheet 6 of 7 of the applicant's CDP also does not identify existing pedestrian facilities located within adjacent developments for staff to assess the level of adequate connectivity to adjacent properties.

**GRAPHIC 6: EXAMPLES OF PEDESTRIAN-FRIENDLY STREETSCAPES\***



\*Both photos demonstrate pedestrian-friendly design by incorporating wider sidewalks, vegetative buffer strips and regularly-spaced trees.

Last, The Northern Virginia Regional Park Authority owns and operates the Washington & Old Dominion (W&OD) Trail located to the north of the subject site. The Brookshaven property, located to the north of the subject site, recently received permission to construct a public connector trail to the W&OD trail. A segment of the trail is located adjacent to Hall Road. Pedestrian access provided within the Townes at Autumn Oaks should, at a minimum, connect to the Hall Road ROW and if possible, to the Brookshaven property trail.

***Staff recommends the applicant revise the CDP to provide a continuous, connected sidewalk system within the development, and to show how the proposed internal sidewalk network connects to existing pedestrian facilities located within adjacent developments. Staff also recommends the applicant provide greater detail on a pedestrian-friendly sidewalk streetscape that commits to a cross section on the CDP that demonstrates, 1) 5-foot sidewalks, 2) 4-foot vegetated buffers, and 3) Canopy shade trees planted in a regularly-spaced, linear pattern within the vegetative buffers. Staff recommends the applicant provide pedestrian access from the Townes at Autumn Oaks to the W&OD Trail through the Hall Road ROW and, if possible, the Brookshaven trail to the north of the subject site.***

#### **6. Edge Screening**

As mentioned in Section B, preserving and enhancing forested areas along the perimeter of the development can accomplish two objectives: 1.) Buffer the residential development from future non-residential land uses to the west and northwest, and 2.) Distinguish the development by providing a visual and aesthetic separation from surrounding residential communities. The applicant has requested modifications to the required perimeter buffer requirement of 50 feet where the development adjoins an existing or planned single family residential district.

***Should the perimeter buffer be reduced, staff recommends the applicant preserve the existing forest cover along the perimeter of the subject site and enhance the perimeter with additional plantings in order to provide additional screening. Staff recommends these areas be designated on the CDP as tree conservation areas.***

#### **D. CAPITAL FACILITIES**

Under the Revised General Plan, all residential rezoning requests will be evaluated in accordance with the Capital Facility policies of the Plan (Revised General Plan, Policy 3, p. 3-5). The Revised General Plan calls for capital facilities contributions valued at 100 percent of capital facility costs per dwelling unit at densities above the specified base density (Revised General Plan, Proffer Guidelines, p. 11-1). The base density is defined as 1.0 dwelling unit per acre or a base density equivalent to the density requirements contained in the existing zoning district regulations applicable to the

property and in effect at the time of application; whichever is lower (Revised General Plan, Proffer Guidelines, p. 11-2).

Capital facility impacts have been calculated for the proposed application including the costs associated with the provision of safety, government, recreation, and education services, etc. The total projected capital facilities impact of the proposed development is \$3,921,588 (see Attachment 1). The County assumes responsibility for the capital facility impacts up to the base density of 1 dwelling unit per acre. As such, the net capital facilities impact would be the equivalent of \$2,573,793 (see Attachment 1).

***Staff recommends that the impacts of the proposed development be mitigated.***

#### **F. OPEN SPACE PRESERVATION PROGRAM**

To achieve higher density housing, "the Board of Supervisors anticipates evidence of participation in the Open Space Preservation Program". The County anticipates that cash donations for open space will be spent in the Suburban Community in which the increased density is granted" (Revised General Plan, Policy 3, p. 11-3). Contributions should be provided to enable the County to purchase Suburban Policy Area open space to offset the density proposed by the development. In the past, the Board has historically accepted \$3,800 - \$5,000 per easement.

If easements are priced at \$3,800 to \$5,000 per easement, the open space contribution for 2.064 easements for the proposed application would range from \$7,483 to \$10,320 (Attachment 2). However, this amount does not seem reasonable given current market values and with the goal of purchase of open space in the Sterling Community.

***Staff recommends the application contribute land or provide an open space easement contribution equivalent to the cost of purchasing open space in the Dulles Community.***

#### **RECOMMENDATION**

Community Planning staff recommends the application be revised to address the site design issues discussed above. Staff is available to meet with the applicant to discuss these issues.

cc: Julie Pastor, AICP, Planning Director  
Cindy Keegan, AICP, Program Manager, Community Planning

**Attachment 1- Capital Facilities Impact Analysis**  
**The Townes at Autumn Oaks**  
**ZMAP 2006-0038**

**TOTAL PROJECTED CAPITAL FACILITIES IMPACT**

The total capital facilities impact of the proposed development is calculated using the approved capital intensity factors for the proposed unit mix, as follows:

<i>Housing Type</i>	<i>Total Number of Units</i>	<i>Capital Intensity Factors</i>	<i>Projected Capital Facilities Impact</i>
Single-Family Detached (SFD)	0	\$46,819	\$0
Single-Family Attached (SFA)	132	\$29,709	\$3,921,588
Multi-Family (MF)	0	\$18,904	\$0
<b>TOTAL</b>	<b>132</b>		<b>\$3,921,588</b>

**132 Total Units      \$3,921,588      Total Projected Capital Facilities Impact**

**ANTICIPATED CAPITAL FACILITIES CONTRIBUTION**

The anticipated capital facilities contribution of the proposed development takes into account affordable dwelling units (ADUs) and the number of units permitted by the base density. According to a resolution passed by the Board of Supervisors on February 15, 2005, the base density and base unit type of a type of property should be calculated using the current zoning of the property. Revised Capital Intensity Factors (CIFs) were adopted by the Board of Supervisors on July 25, 2006.

**1. Number of Market Rate Units Subject to Capital Facilities Proffer Guidelines**

<i>Housing Type</i>	<i>Total Number of Units</i>	<i>Number of Proposed ADUs</i>	<i>Number of Market Rate Units</i>
Single-Family Detached (SFD)	0	0	0
Single-Family Attached (SFA)	132	17	115
Multi-Family (MF)	0	0	0
<b>TOTAL</b>	<b>132</b>	<b>17</b>	<b>115</b>

**2. Capital Facilities Calculations for Market Rate Units**

<i>Housing Type</i>	<i>Total Number of Market Rate Units</i>	<i>Capital Intensity Factors</i>	<i>Capital Facilities Calculations for Market Rate Units</i>
Single-Family Detached (SFD)	0	\$46,819	\$0
Single-Family Attached (SFA)	115	\$29,709	\$3,416,535
Multi-Family (MF)	0	\$18,904	\$0
<b>TOTAL</b>	<b>115</b>		<b>\$3,416,535</b>

**3. Capital Facility Credit for Base Density Units assuming Single Family Detached Dwellings**

<i>Zoning District</i>	<i>Acres</i>	<i>Density Permitted By-right (du/acre)</i>	<i>Base Density Units</i>	<i>Capital Intensity Factor</i>	<i>Capital Facility Credit for Base Density Units</i>
R-1	18.43	1	18	\$46,819	\$842,742
0	0.00	0	0	\$46,819	\$0
0	0.00	0	0	\$46,819	\$0
<b>TOTAL</b>			<b>18</b>		<b>\$842,742</b>

**4. Anticipated Capital Facilities Contribution**

$$\text{\$3,416,535} - \text{\$842,742} = \text{\$2,573,793}$$

**\$2,573,793 Anticipated Capital Facilities Contribution**

**Attachment 2 - Open Space Preservation Program Analysis**  
**The Townes at Autumn Oaks**  
**ZMAP 2006-0038**

Based on the Open Space Proffer Guidelines of the Revised General Plan, the Board of Supervisors anticipates evidence of participation in the Open Space Preservation Program to achieve higher densities in mixed-use communities proposed for development in the Suburban Policy Area. The Plan states that "5% of all residential units associated with densities above 4.0 dwelling units/acre should result from the acquisition of an equivalent number of open space easements." The Plan provides guidelines for the location and types of open space desired to be provided or purchased with cash in lieu on a per unit basis (Revised General Plan, Open Space Guidelines, p. 11-3). For high density residential neighborhoods, 0.05 easements is anticipated for every dwelling unit over a density of 4.0 du/acre.

1. Number of Units Permitted at 4.0 du/acre

$$18.43 \text{ acres} \times 4 = 73.72$$

2. Number of Units Subject to Open Space Proffer Guidelines

$$132 - 73.72 = 58.28$$

3. Exempt Affordable Dwelling Units

$$58.28 - 17 = 41.28$$

4. 5% of Units over 4.0 du/acre

$$41.28 \times 0.05 = 2.064$$

5. Total Units Linked to Open Space Preservation = **2.064**

6. Accepted Contribution Range: \$3,800 to \$5,000 per Easement

$$\mathbf{\$7,843 \quad \text{to} \quad \$10,320}$$



**County of Loudoun**  
**Department of Planning**  
**MEMORANDUM**

**DATE:** September 10, 2007

**TO:** Mike Elabarger, Project Manager  
Planning Department

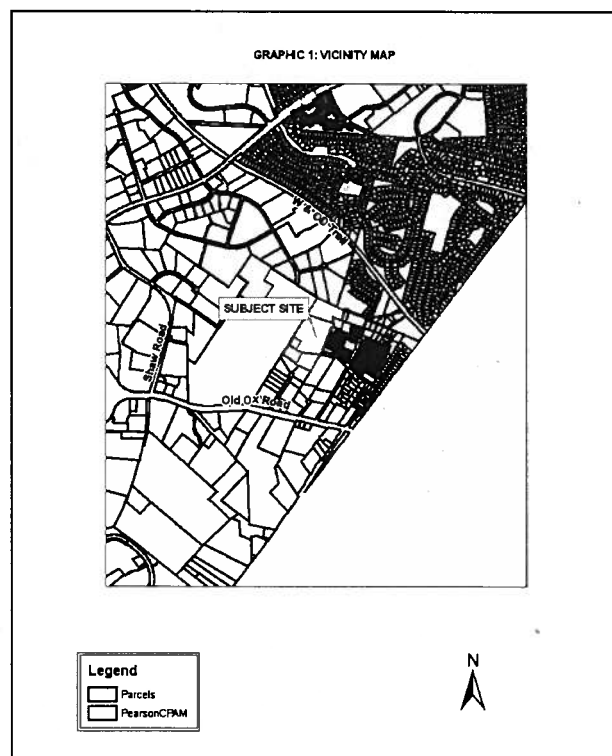
**FROM:** Michael "Miguel" Salinas, Senior Planner  
Community Planning

**SUBJECT:** ZMAP 2005-0038 The Townes at Autumn Oaks, 2<sup>nd</sup> Referral

**BACKGROUND**

The Peterson Companies (the "applicant"), is requesting approval to rezone approximately 24.95 acres (the "subject site") from R-1 (Single Family Residential) to PD-H6 (Planned Development – Housing), administered as R-8, for the development of up to 179 single-family attached (SFA) homes at a density of approximately 7 dwelling units per acre (including Affordable Housing Units). The subject site is currently zoned R-1 and is located north of Old Ox Road (Route 606), west of Oakgrove Road, and south of the Washington and Old Dominion (W&OD) Trail (See Vicinity Map below).

The applicant submitted a response to Community Planning's first referral, dated January 19, 2007. Since their response, the applicant redesigned the site by incorporating 3 additional parcels to the original 3-parcel application. The revised application resulted in an additional 53 dwelling units (inclusive of ADU's). Below is a discussion of outstanding issues.

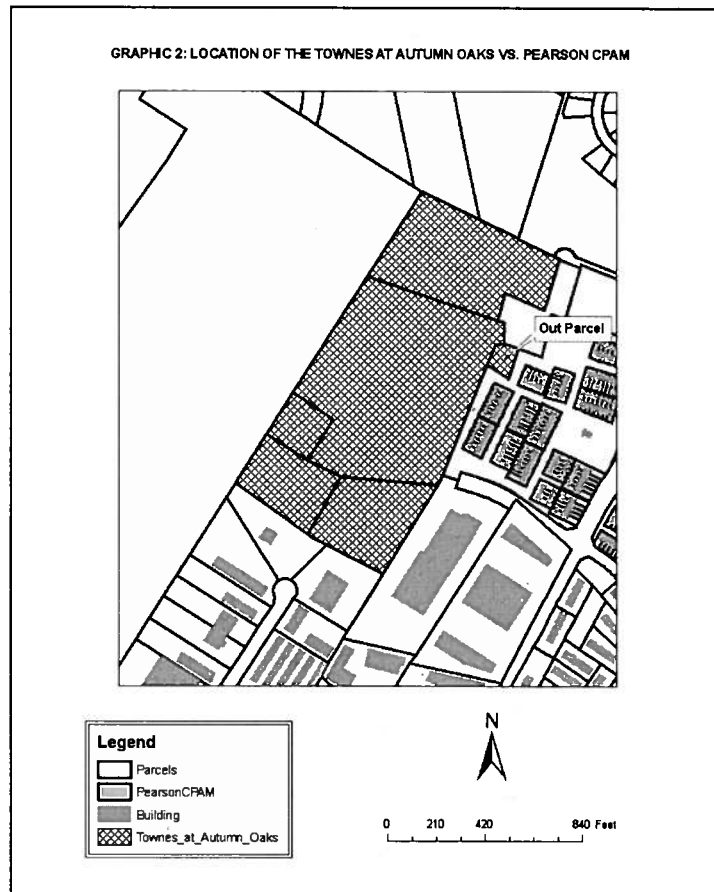


## OUTSTANDING ISSUES

### A. LAND USE

#### 1. Density

The Pearson Reserve Comprehensive Plan Amendment (CPAM 2004-0007) amended the Revised General Plan's Planned Land Use Map to designate High Density Residential (HDR) within the Route 28 Highway Tax District on five specific parcels totaling approximately 25 acres at a maximum density of 8 dwelling units per acre. Five of the six parcels included in the proposed project are governed by the Pearson Reserve CPAM. The sixth parcel (the "out parcel"), approximately .29 acres in size, is not associated with the Pearson Reserve CPAM, but is part of the larger Oak Grove area of the Route 28 Tax District where residential land uses within the tax district are allowed at a maximum density of 4 dwelling units per acre (Revised General Plan, Policy 3, p. 6-17).



The applicant is proposing to place all residential dwelling units on the five parcels designated as HDR. Table 1 below summarizes the proposed density of the development, based on a total 156 du's and exclusive of Affordable Dwelling Units (ADU's), measured against the maximum density allowed per the Pearson Reserve CPAM.

**Table 1: Proposed Densities vs. Maximum Densities Allowed**

Planned Land Use	Acreage	Density Proposed	Maximum Density Allowed
HDR (Parcels 1 & 2)	24.95	6.3 du's/acre	8 du's/acre

***The overall density proposed for the Townes at Autumn Oaks does not exceed the maximum density of 8 dwelling units per acre approved per the policies of the Pearson Reserve CPAM (CPAM 2004-0007).***

## 2. Land Use Mix

The applicant's proposed development does not meet the recommended land use mix for public/civic uses of the Revised General Plan for HDR developments (Revised General Plan, Policy 3, p. 6-19). With the exception of the outparcel, the Towns at Autumn Oaks is planned for HDR land uses (the applicant has chosen to designate the outparcel as open space). Therefore, staff has chosen to evaluate the land use mix for the development based on the recommended land use mix for High Density Residential. Staff has summarized the land use mix in Table 2 below.

**Table 2: Land Use Mix per HDR Plan Policies**

Land Use Category	Acreage	% Proposed	RGP% Recommended
High Density Residential	14.11	56.6%	40% - 60%
Office & Light Industrial	-	-	0% - 20%
Public & Civic	-	-	10% - No Maximum
Parks & Open Space	10.84	43.4%	30% - No Maximum
<b>Totals</b>	<b>24.95</b>	<b>100.0%</b>	

In response to staff's comments, the applicant stated that the appropriate amount of civic and public space is provided both on-site and off-site. Sheet 5 of the CDP shows on-site civic space that includes two greens – including the main green featuring a tot lot, possible pavilion, trail segments, and stormwater management/best management practice (SWM/BMP) facilities. Sheet 5 also notes that additional off-site civic uses are provided within 1,500 feet of the property. Staff believes the applicant is referencing the HOA-owned and maintained clubhouse and swimming pool constructed as part of the Grovewood Development (ZMAP 1991-0010) located east of the subject site. The Revised General Plan does allow for the rezoning of properties less than 50 acres (outside of Keynote Employment designations) to vary from the land use mix by surveying the land uses within a 1,500-foot radius of the site, demonstrating that an alternative land use mix is appropriate for the site, and including a mix that fulfills one or more needs within the larger, surrounding community (Revised General Plan, Policy 8, p. 6-7). Staff notes that the clubhouse is reserved for the use of the residents of Grovewood development and unless the subject site is annexed into the Grovewood HOA, the facility will not be available for residents of the subject site. The applicant has not provided any information demonstrating agreement between the Grovewood HOA and the applicant on the use of the clubhouse by the future residents of the Townes at Autumn Oaks. Furthermore,

civic/public uses are defined as public or quasi-public institutional uses in residential or business areas that primarily serve the immediate community and are compatible with the surrounding uses. Examples of such uses include churches, fire and rescue facilities, schools, day care centers, group homes, community centers, post offices, and community club houses (Revised General Plan, Glossary, p. G-2). Staff notes the two greens and their accompanying amenities, trail segments, and stormwater management/best management practice (SWM/BMP) facilities are considered open space, do not meet the definition of civic/public uses, and cannot be counted towards the required amount of acreage dedicated towards civic/public uses.

***The Townes at Autumn Oaks does not meet the recommended land use mix for High Density Residential for civic/public uses. Staff is requesting the applicant revise the CDP for the Townes at Autumn Oaks to include on-site civic/public uses in order to meet the recommended land use mix. If the applicant proposes to include the existing HOA-owned and maintained clubhouse located at the Grovewood development to the east of the subject site as part of their recommended land use mix for public/civic uses, then staff recommends the applicant submit documentation showing formal commitments are provided between the applicant and the HOA for permanent, shared-use of the HOA facility.***

### **3. Open Space**

Sheet 5 of the CDP shows a combination of natural, passive, and active open space, including enhanced buffers, two community greens, additional passive open space, a play field, 2 tot lots, and a recreational trail. According to sheet 5, the applicant is proposing a total of 10.84 acres of open space (43% of the subject site's land area), of which 1.73 acres of the open space are counted as perimeter open space. However, the applicant is counting most of the perimeter open space as interior. Required buffer areas, "leftover spaces", parking and street landscaping cannot account for more than 25% of the open space requirement (Revised General Plan, Policy 3, p. 6-11).

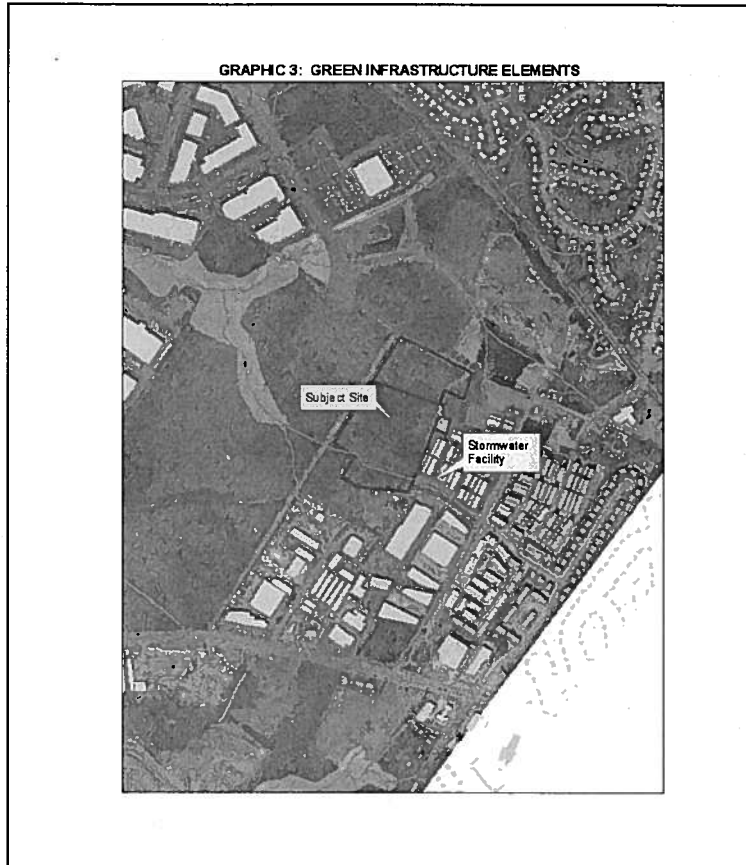
***The applicant is counting perimeter open space as interior. Based on the size of the subject site, no more than approximately 1.87 acres of open space can be perimeter open space. Staff recommends the applicant commit to at least 75% of the required open space as interior open space. Staff suggests one way to increase the amount of interior open space within the development is to offer a wider diversity of housing types, included two over two's, to increase the amount of acreage potentially available for open space.***

## **B. EXISTING CONDITIONS**

### **1. Streams and Wetlands**

A wetland delineation report, dated July 26, 2002, was prepared by Wetland Studies and Solutions, Inc. (WSSI) and submitted as part of the application. A stream channel on the property was altered in order to convey stormwater runoff from an off-site stormwater facility to the east, resulting in the current intermittent stream shown in Graphic 3 that bisects the southern portion of the site. The stream is within the Broad Run watershed (Revised General Plan, Major & Sub-Watersheds map, p. 5-13) and conveys stormwater run-off from the stormwater facility to Indian Creek, a branch of the Broad Run. The run-

off is eventually drained into the Broad Run. Although not depicted in Graphic 3, jurisdictional wetlands, including Palustrine Forested wetlands (PFO) and Palustrine Emergent wetlands (PEM) due to groundwater seepage, ponding, and a high water table, are associated with the intermittent stream.



Sheet 5 of the CDP illustrates their intent to preserve a portion of the intermittent stream and its associated wetlands by incorporating a community green that includes amenities such as the tot lot, a possible pavilion, a recreational trail, and possible stormwater management/best management practice (SWM/BMP) ponds. A visit to the site by staff did show physical evidence of stream bank erosion and scouring of the intermittent stream – possibly from the stormwater runoff being conveyed from the off-site stormwater facility to the east. Erosion of the stream bank can increase sedimentation and detrimentally impact the overall water quality of the Broad Run. Although the stream segment is not part of the County's stream corridor

resources, the County encourages the protection and preservation of smaller stream segments through land development techniques that minimize the disturbance and modification of such segments (Revised General Plan, Policy 11, p. 5-9).

***Staff supports the applicant's protection of a portion of the intermittent stream and its associated wetlands by preserving the area as a community green. Staff recommends the applicant consider committing to stream bank and stream bed restoration for that portion of the intermittent stream within the community green to improve its ability to adequately convey both on-site and off-site stormwater run-off and to enhance the natural and aesthetic functions of the stream corridor.***

## **2. Forest Cover**

A tree stand evaluation prepared by WSSI and dated July 26, 2002 was completed for Pearson Landing at Oak Grove. The study identified several forest stands and specimen trees. The applicant has identified the approximate tree save areas and specimen trees on the CDP. Sheet 5 of the CDP shows the applicant preserving forest cover along the perimeter of the development and adjacent to a portion of the intermittent stream and its associated wetlands. Staff supports the preservation of forest cover and vegetation adjacent to the intermittent stream and wetlands to act as a riparian buffer to reduce

sedimentation and erosion and protect the surface water quality of the stream and the larger Broad Run watershed. Also, protecting and enhancing forested areas along the perimeter of the development can accomplish two objectives: 1.) Buffer the residential development from future non-residential land uses to the west and northwest, and 2.) Distinguish the development by providing a visual and aesthetic separation from surrounding residential communities. Staff notes that the tree save area symbology has not been depicted in the legend of Sheet 5 of the CDP. Staff also notes that portions of tree save areas depicted along the eastern boundary of the subject site include areas that do not contain forest cover.

***Staff recommends the applicant add the tree save area symbol within the legend contained in Sheet 5 of the CDP. Staff also recommends the applicant commit to a reforestation plan for tree save areas located along the eastern boundary that currently do not contain forest cover.***

### **3. Stormwater Management**

The applicant's CDP places possible Stormwater Management (SWM)/Best Management Practice (BMP) ponds on both sides of the riparian buffer associated with the intermittent stream. The applicant has stated they may consider a retention pond at the location shown on the CDP, but has not committed to such a pond.

***Since the general location of the pond is a highly visible location and the area that includes the ponds is proposed as part of their open space for the development, staff recommends the applicant commit to constructing retention ponds ("wet pond") on both sides of the intermittent stream and wetlands for both aesthetic reasons (to complement the adjacent recreational trail segment) and for increased pollution removal efficiency.***

### **C. SITE DESIGN**

The Revised General Plan states that residential design features should include an efficient and compact site and roadway layout with adequate open space (active, passive, and natural), streetscapes that include sidewalks, street trees, pedestrian-scale lighting, pedestrian and roadway linkages to other neighborhoods and communities, and the full protection of the green infrastructure. In addition, smaller HDR neighborhoods will focus on a public green or park, civic buildings such as a church or community center, or a small neighborhood commercial center (Revised General Plan, text, p. 6-16).

Since approximately 98% of the subject site's land area is planned for HDR land uses, HDR design characteristics have been considered for the entire subject site.

#### **1. Open Space**

Sheet 5 of the CDP shows a combination of natural, passive, and active open space, including enhanced buffers, two community greens, additional passive open space, a play field, 2 tot lots, and a recreational trail. Staff previously stated their support for counting areas adjacent to the Trefoil Lane access into the development against the 75% minimum interior open space requirement if the applicant provides an enhanced entrance. The "leftover space" could be classified as passive open space if the applicant considers

designing the space to include a landscaped pocket garden, garden benches, low seating walls, distinctive paving patterns, signage, public art, and/or water features that enhance the identity and character of the development. The applicant's Illustrative Amenity Plan (Sheet 8 of the CDP) shows enhanced entryways on both sides of the Trefoil Lane entrance that would include community signage, landscaping, and special paving treatment in the roadway. Staff notes that Sheet 8 of the CDP is for illustrative purposes only.

***Staff recommends the applicant commit to enhanced entryways adjacent to both sides of the Trefoil Lane access that is reflective of the type of enhancements included in the Illustrative Amenity Plan and to include a combination of features and amenities, including landscaping, benches, low seating walls, special paving treatment, signage, public art, and water features to enhance the identity and character of the development. A commitment to enhanced entryways through a combination of features and amenities can be counted towards the interior open space requirement for the development.***

## **2. Main Open Space**

Smaller HDR neighborhoods will focus on a main open space, civic buildings such as a church or community center, or a small neighborhood commercial center (Revised General Plan, text, p. 6-16). Main open spaces can include a more formalized square, plaza or green. A square tends to have a mix of paths, lawns and trees whereas plazas tend to be primarily pavement. A green, on the other hand, is a less structured park used primarily for passive recreation that can also be spatially defined by more naturalistically disposed landscaping. Designed as a square, plaza, or green, the main public space of the development can function as the central gathering place for residents.

The applicant has proposed a community green, located at the south central portion of the subject site, as the development's main open space. The inclusion of the three parcels south of the original subject site places the community green fairly central to residents of the development, where it can become a focal point and central gathering point for residents of the development. The spatial definition of the community green is also defined by the opening up at least 50% of the perimeter of the green to surrounding streets and anchors the terminus of Trefoil Lane.

***Staff supports the location of the community green located at the south central portion of the subject site as the development's main open space. If the applicant is proposing to meet their recommended land use mix for civic/public uses by incorporating such uses on-site, staff recommends the applicant consider locating the uses either within the main open space or adjacent to such space.***

## **3. Tot Lots**

Tot lots are smaller in size than neighborhood parks and can be incorporated into residential blocks to provide greater pedestrian and bicycle accessibility – crucial to parks that are predominantly used by children. Tot lots located near or adjacent to residential homes can also enhance the security and supervision of the children using the space.

Two tot lots are proposed within the development. According to Sheet 5 of the CDP, one tot lot is proposed within the larger community green and another tot lot is proposed on the "out-parcel". Staff believes the tot lot located within the forested tree save area of the community green is impractical for both security and accessibility reasons. The tot lot located on the "out-parcel" is impractical for the same reasons. Although the applicant states that the location of the tot lot on the "out-parcel" is intended to serve not only residents of the Towns of Autumn Oaks but also the residents of the adjacent community to the east, staff notes that the tot lot is largely hidden from the view of almost all the residents of the development and is directly accessible only to the row of single-family homes adjacent to the tot lot. Staff recommends the applicant relocate the proposed tot lots to reflect greater accessibility and safety for this age-specific, active, open space. One option is to keep the location of one of the tot lots within the community green, but outside of the tree save area. Another option is to relocate one of the tot lots within a block located near the western or northern perimeter of the subject site in order to break up the length of the block, or within the corner open space located directly west of the "out-parcel". With the relocation of the proposed tot lot from the "out-parcel" and a commitment to designating that parcel as a tree save area for the purpose of screening and buffering of the adjacent residential development, staff would be supportive of counting that parcel as interior open space.

***Staff recommends the applicant relocate the proposed tot lots to reflect greater accessibility and safety for this age-specific, active, open space. Staff also recommends Section IV of the Draft Proffer Statement be revised to specify a commitment of two tot lots within the development, to be consistent with Sheet 5 of the CDP.***

#### **4. Shared Use Trail**

Sheet 5 of the CDP shows a proposed shared-use trail located along the western perimeter of the subject site and within the community green. Staff supports the incorporation of a trail into the development. The application, however, has proposed the option of either a 6-foot or 8-foot trail. Design criteria for the shared use trail should be in accordance with nationally accepted design guidelines established by organizations such as the American Association of State and Highway Transportation Officials (AASHTO) and the Americans with Disabilities Act (ADA) (Revised General Plan, Policy 9d, p. 6-11 & Revised Countywide Transportation Plan, Policy 8, p. 2-10). Staff recommends the applicant commit to a two-directional 8-foot wide trail. According to AASHTO and the county's bike/ped plan, a width of 8 feet (as opposed to 10 feet) can be used where bicycle traffic is expected to be low, pedestrian use of the facility is not expected to be more than occasional, there will be good horizontal and vertical alignments providing safe and frequent passing opportunities, and during normal maintenance activities the path will not be subjected to maintenance vehicle loading conditions that would cause permanent edge damage. The applicant should also commit to a trail that adheres to the design criteria specified by AASHTO related to clearance, horizontal alignment, grade, sight distances, drainage and lighting.

***Staff supports the incorporation of a trail into the development as depicted in the CDP. Staff recommends the applicant commit to the construction of a minimum 8-***



***foot wide two-directional trail within a 12-foot public access easement that is designed to accommodate pedestrians, joggers, dog walkers, and others who are also likely to use such a path. Staff also recommends the applicant commit to a trail that conforms to the nationally accepted design guidelines established by organizations such as the American Association of State and Highway Transportation Officials (AASHTO) and the Americans with Disabilities Act (ADA) related to clearance, horizontal alignment, grade, sight distances, drainage, and lighting.***

## **5. Pedestrian Facilities & Linkages**

Pedestrian concerns should take a high priority in a HDR neighborhood like the Townes at Autumn Oaks. Careful consideration to the design of the streetscape can create a vibrant public realm, foster greater pedestrian mobility within the development and to adjacent developments, and contribute to the overall aesthetic quality of the neighborhood. Staff's first referral recommended the applicant revise the CDP to provide a continuous, connected sidewalk system within the development.

Staff also recommended the applicant provide greater detail on a pedestrian-friendly sidewalk streetscape that commits to a cross section on the CDP that demonstrates, 1) 5-foot sidewalks, 2) 4-foot vegetated buffers, and 3) Canopy shade trees planted in a regularly-spaced, linear pattern within the vegetative buffers.

Sheet 5 of the CDP does not show a continuous sidewalk system throughout the development, particularly along the row of homes located adjacent to the northern boundary of the site. Sheet 8 of the CDP, the Illustrative Amenity Plan, shows a sidewalk system with a regularly-spaced pattern of tree plantings along the sidewalk network. Staff notes that Sheet 8 of the CDP is for illustrative purposes only. Sheet 6 of the CDP, on the other hand, shows a typical cross section for the private roads within the development that includes 25-foot travelways, 5-foot sidewalks, and 2-foot planting strips. Residential streets should have a minimum width of 5 feet with vegetated buffers between the sidewalk and curb of no less than 2 feet (Loudoun County Bicycle and Pedestrian Mobility Master Plan, Policy 2a, p. 31). A minimum 4-foot vegetated buffer, however, is ideal for the planting of trees along the sidewalk corridor, as depicted on the Illustrative Amenity Plan.

***Staff recommends the applicant depict a continuous sidewalk system on Sheet 5 of the CDP. Staff also recommends the applicant commit to depicting a typical cross section for private roads on Sheet 6 of the CDP that shows a minimum 4-foot wide vegetated buffer with canopy shade trees planted in a regularly-spaced, linear pattern within the buffer. Staff suggests one way to increase the vegetated buffer is to reduce the width of the typical roadway width depicted on the typical cross section from 25 feet to 20-22 feet.***

## **D. CAPITAL FACILITIES**

Under the Revised General Plan, all residential rezoning requests will be evaluated in accordance with the Capital Facility policies of the Plan (Revised General Plan, Policy 3, p. 3-5). The Revised General Plan calls for capital facilities contributions valued at 100

percent of capital facility costs per dwelling unit at densities above the specified base density (Revised General Plan, Proffer Guidelines, p. 11-1). The base density is defined as 1.0 dwelling unit per acre or a base density equivalent to the density requirements contained in the existing zoning district regulations applicable to the property and in effect at the time of application; whichever is lower (Revised General Plan, Proffer Guidelines, p. 11-2).

Capital facility impacts have been calculated for the proposed application including the costs associated with the provision of safety, government, recreation, and education services, etc. The total projected capital facilities impact of the proposed development is \$5,317,911 (Attachment 1). The County assumes responsibility for the capital facility impacts up to the base density of 1 dwelling unit per acre. As such, the net capital facilities impact would be the equivalent of \$3,510,948 (see Attachment 1). The applicant's Draft Proffer Statement indicates a total capital facilities contribution of \$3,510,936.

***The Capital Facilities impacts of the proposed development are proposed to be sufficiently mitigated. The applicant should revise their Draft Proffer Statement to show a total capital facilities contribution of \$3,510,948.***

#### **E. OPEN SPACE PRESERVATION PROGRAM**

To achieve higher density housing, "the Board of Supervisors anticipates evidence of participation in the Open Space Preservation Program". The County anticipates that cash donations for open space will be spent in the Suburban Community in which the increased density is granted" (Revised General Plan, Policy 3, p. 11-3). Contributions should be provided to enable the County to purchase Suburban Policy Area open space to offset the density proposed by the development. In the past, the Board has historically accepted \$3,800 - \$5,000 per easement.

If easements are priced at \$3,800 to \$5,000 per easement, the open space contribution for 2.81 easements for the proposed application would range from \$10,678 to \$14,050 (Attachment 2). However, this amount does not seem reasonable given current market values and with the goal of purchasing open space in the Sterling Community.

***Staff recommends the application contribute land or provide an open space easement contribution equivalent to the cost of purchasing open space in the Sterling Community.***

#### **RECOMMENDATION**

Staff finds the application is not in conformance with the land use policies of the Revised General Plan, and therefore cannot support the application as proposed. Staff recommends the application be revised to address the issues discussed above. Staff is available to meet with the applicant to discuss these issues.

cc: Julie Pastor, AICP, Planning Director  
Cindy Keegan, AICP, Program Manager, Community Planning

## Mike Elabarger - Re: zmap 0638

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From: Cindy Timmerman  
To: Elabarger, Mike; Henderson, Douglas  
Date: 1/16/2007 2:43 PM  
Subject: Re: zmap 0638

*ZMAP 2006-0038 TOWNES AT AUTUMN OAKS*

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Mike:

Library Services response would be: In the current CIP there are provisions for both the 40,000 sq. ft. Gum Spring Library (in South Riding) and a 30,000 sq. ft. library in Brambleton. The CNA includes provision for an expansion of Sterling Library. If these projects go forward as planned, the impact of the **ZMAP 2005-0038, The Townes at Autumn Oaks** proposal would not be an issue for Library Services.

Please let me know if you need additional information.

Thanks.

Cindy Timmerman  
Deputy Director  
Loudoun County Public Library  
908A Trailview Blvd.  
Leesburg, VA 20175  
703-771-5253 fax: 703-771-5238  
ctimmerm@loudoun.gov

>>> Mike Elabarger 1/16/2007 12:36 PM >>>  
See attached. Call me if you have questions - 8506.

>>> Douglas Henderson 1/16/2007 12:29 PM >>>  
Mike could you send a copy of the cover memo to Cindy? I accidentally deleted it.

Douglas Henderson  
Loudoun County Library Director  
908A Trailview Blvd.  
Leesburg, VA 20175

A-71



# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF TRANSPORTATION

DAVID S. EKERN, P.E.  
COMMISSIONER

14685 Avion Parkway  
Chantilly, VA 20151  
(703) 383-VDOT (8368)  
October 20, 2006

Mr. Mike Elabarger **MSC#62**  
County of Loudoun  
Department of Planning  
1 Harrison Street, S.E.  
Leesburg, Virginia 20177-7000



Re: ZMAP 2005-0038 The Townes at Autumn Oaks  
Loudoun County

Dear Mr. Elabarger:

I have reviewed the above plan as requested in your submittal dated August 18, 2006, and received on August 21, 2006. The following comments are offered:

1. No proffers were provided for review.
2. Contributions for area signals should be proffered.
3. Trefoil Lane should be extended to the west beyond the site's property.
4. The street to the north should be extended along the property frontage to the western property line.
5. Access to the street extension on the north side of the property is recommended.

If you have any questions, please call me at (703)383-2424.

Sincerely,

Kevin Nelson  
Transportation Engineer

cc: Mr. Sam Allaire  
zmap2005-038zm1Townes@AutumnOaks10-10-06ME



# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF TRANSPORTATION

DAVID S. EKERN, P.E.  
COMMISSIONER

14685 Avion Parkway  
Chantilly, VA 20151  
(703) 383-VDOT (8368)  
July 27, 2007

Mr. Mike Elabarger **MSC#62**  
County of Loudoun  
Department of Planning  
1 Harrison Street, S.E.  
Leesburg, Virginia 20177-7000

Re: ZMAP 2005-0038 The Townes at Autumn Oaks  
Loudoun County



Dear Mr. Elabarger:

I have reviewed the above plan as requested in your submittal dated July 3, 2007, and received on July 6, 2007. The following comments are offered:

1. Contributions for area signals should be proffered. As proposed, the site will not provide additional access points to the west, which will add significant traffic to the access at Rt. 606.
2. Trefoil Lane should be extended to the west beyond the site's property to provide a better grid system of streets in this area. It is understood the county has changed the comprehensive plan contrary to this recommendation. The proposed layout does not provide any alternatives to access the site or the local residential area. This forces all of the residential traffic onto Rt. 606. Interconnectivity for local traffic is extremely important to improve levels of service on the main collector routes.
3. The eastbound left turn lane on Rt. 606 at Oak Grove Road is inadequate in length. The additional traffic generated by this site will create queues which spill over into the through lanes of Rt. 606, creating possible gridlock situations during peak periods. This left turn lane needs to be lengthened to accommodate the volumes making the left turn movement at this intersection.

If you have any questions, please call me at (703)383-2424.

Sincerely,

Kevin Nelson  
Transportation Engineer

cc: Mr. Imad Salous  
zmap2005-038zm3Townes@AutumnOaks7-27-07ME



A.73

L. Preston Bryant, Jr.  
Secretary of Natural Resources



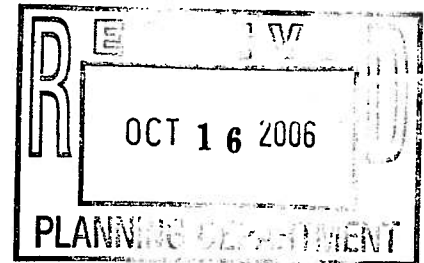
Joseph H. Maroon  
Director

**COMMONWEALTH of VIRGINIA**  
**DEPARTMENT OF CONSERVATION AND RECREATION**

217 Governor Street  
Richmond, Virginia 23219-2010  
(804) 786-7951 FAX (804) 371-2674

October 13, 2006

Mike Elabarger  
Loudoun County  
Department of Planning  
1 Harrison St. SE, 3<sup>rd</sup> Floor  
Leesburg, VA 20177-7000



Re: ZMAP 2006-0038, The Townes at Autumn Oaks

Dear Mr. Elabarger:

The Department of Conservation and Recreation's Division of Natural Heritage (DCR) has searched its Biotics Data System for occurrences of natural heritage resources from the area outlined on the submitted map. Natural heritage resources are defined as the habitat of rare, threatened, or endangered plant and animal species, unique or exemplary natural communities, and significant geologic formations.

Biotics documents the presence of natural heritage resources in the project area. However, due to the scope of the activity and the distance to the resources, we do not anticipate that this project will adversely impact these natural heritage resources.

Our files also do not indicate the presence of any State Natural Area Preserves under DCR's jurisdiction in the project vicinity.

Under a Memorandum of Agreement established between the Virginia Department of Agriculture and Consumer Services (VDACS) and the Virginia Department of Conservation and Recreation (DCR), DCR represents VDACS in comments regarding potential impacts on state-listed threatened and endangered plant and insect species. The current activity will not affect any documented state-listed plants or insects.

Any absence of data may indicate that the project area has not been surveyed, rather than confirm that the area lacks additional natural heritage resources. New and updated information is continually added to Biotics. Please contact DCR for an update on this natural heritage information if a significant amount of time passes before it is utilized.

The Virginia Department of Game and Inland Fisheries maintains a database of wildlife locations, including threatened and endangered species, trout streams, and anadromous fish waters, that may contain information not documented in this letter. Their database may be accessed from [http://www.dgif.virginia.gov/wildlife/info\\_map/index.html](http://www.dgif.virginia.gov/wildlife/info_map/index.html), or contact Shirl Dressler at (804) 367-6913.

Should you have any questions or concerns, feel free to contact me at 804-371-2708. Thank you for the opportunity to comment on this project.

Sincerely,

A handwritten signature in black ink, appearing to read "S. René Hypes", with a long horizontal flourish extending to the right.

S. René Hypes  
Project Review Coordinator

**From:** "Merkel, Heidi T." <Heidi.Merkel@fairfaxcounty.gov>  
**To:** <MELABARG@loudoun.gov>  
**Date:** 1/22/2007 3:14 PM  
**Subject:** Referral for ZMAP 06-38 Townes at Autumn Oaks

Mr. Elabarger,

Fred Selden asked me to respond to your request of last week regarding the above-referenced rezoning application. Fairfax County will not be submitting a review referral.

If you have any additional questions, please feel free to contact me directly.

Sincerely,

Heidi T. Merkel  
Heidi T. Merkel, Senior Planner  
Planning Division  
Fairfax County Department of Planning & Zoning  
12055 Government Center Parkway, Suite 730  
Fairfax, VA 22035-5509  
Ph. 703.324.1380  
Fax 703.324.3056  
[www.fairfaxcounty.gov/dpz/](http://www.fairfaxcounty.gov/dpz/) <<http://www.fairfaxcounty.gov/dpz/>>





**COUNTY OF LOUDOUN  
PARKS, RECREATION AND COMMUNITY SERVICES  
REFERRAL MEMORANDUM**

**To:** Michael Elabarger, Project Manager, Planning Department (MSC #62)  
**From:** Brian G. Fuller, Park Planner, Facilities Planning and Development (MSC #78)  
**Through:** Mark A. Novak, Chief Park Planner, Facilities Planning and Development  
**CC:** Diane Ryburn, Director  
Steve Torpy, Assistant Director  
Su Webb, Park Board, Chairman  
Jim Bonfils, Park Board, Dulles District

**Date:** March 13, 2007

**Subject:** ZMAP 2006-0038, The Townes at Autumn Oaks 1<sup>st</sup> Referral  
**Election District:** Dulles **Sub Planning Area:** Sterling  
**MCPI #:** 034-40-3610, 034-40-6958, and 034-40-8307

**BACKGROUND:**

The Properties are located north of Old Ox Road (Route 606), west of Oakgrove Road, south of the Washington and Old Dominion (W&OD) Trail, and at the end of Trefoil Lane in the Sterling subarea. The Properties consist of approximately 17.89 acres within the Suburban Policy Area and Dulles Election District. The properties are currently zoned R-1, and were redesignated for High-Density Residential uses up to 10 dwelling units per acre pursuant to the Pearson Reserve CPAM on July 5, 2005. The Quarry Notification Overlay District (QNOD) also encumbers a portion of the property area. The Applicant proposes to develop the Properties as a residential community, consisting of 132 single-family attached units, associated infrastructure, and open space. To support this program, the applicant seeks to rezone the Property from R-1 to PDH-6 (Planned Development Housing-6, administered as R-8) in accordance with the provisions of the Revised 1993 Loudoun County Zoning Ordinance. In addition, the Applicant seeks modifications to the Revised 1993 Loudoun County Zoning Ordinance for required minimum buffering, open space, and height limitations.

**POLICY:**

The site is governed under the land use policies in the Revised General Plan, the Loudoun County Bicycle and Pedestrian Mobility Master Plan, and the Revised Countywide

Transportation Plan (Revised CTP). The subject site is located within the Dulles Community within the Suburban Policy Area. The Planned Land Use Map adopted with the Revised General Plan identifies the subject site as planned for Residential. General Residential Policies ...*The County may permit residential rezoning at densities up to 4.0 dwelling units per acre in Residential Neighborhoods.*  
*... [these] projects are key to completing larger community development patterns. Redevelopment and revitalization of aging or neglected areas of the Suburban Policy Area are essential to the general "health" of the area.*

#### **PROJECT ANALYSIS:**

The Applicant proposes to develop the Property as a residential community, consisting of 132 single-family attached units, 17 of which are to be ADUs. The proposed density is approximately 7.16 dwelling units per acre. The Applicant states the development has been designed with single-family attached homes, a pedestrian trail through a preserved wetland area, a town green and active recreation areas. Given the Property's close proximity to other high-density residential planned communities (Encore at Oak Grove, Brookhaven), the Applicant states that the proposed zoning is compatible with the surrounding development pattern.

#### **COMMENTS:**

With respect to the Department of Parks, Recreation and Community Services (PRCS), Staff offers the following comments and recommendations:

1. No proffers were submitted with this application. Please provide proffers for review.
2. This project adds 132 single-family attached units and offers no contribution to public recreation. The Suburban Policy Area is presently experiencing, and will continue to experience significant residential development. Additional development from new rezoning and by-right developments will place recreational facilities in further jeopardy from a capacity perspective. Developers of other subarea residential projects indicate in their applications that the area is supported by existing and planned public facilities. However, residents from both by-right and rezoned subdivisions add a significant demand on existing recreation facilities which make it difficult to keep pace with respective service demands. This application alone will have an immediate impact on existing and planned public recreational facilities in the area. The applicant should demonstrate to Staff, the Planning Commission, and the Board of Supervisors how the recreational and leisure needs of these new residents will be met without further taxing the existing public recreational facilities in the Sterling area.

3. The Applicant is proposing to preserve the wetlands along the southern property boundary within open space, as a "town green / civic space." Staff strongly supports any efforts to protect and preserve wetlands, trees, and native vegetation because these contribute directly to protecting the health of surface water, groundwater, air quality, and aesthetics – all of which contribute to the health of the community's residents. Staff recommends that the open space have a Resource Management Plan that addresses the use, maintenance, target vegetation, wildlife management goals and methods, and other aspects of sustaining a functional and attractive natural, open space area. The management plan should also address how watershed protection is to be applied to ensure a healthy stream, diverse aquatic life, stable stream banks, and vibrant native vegetation. In addition, the management plan may also include opportunities and requirements for stream restoration. Staff also recommends that any substantial "tree save" area has a Forest Management Plan. The management plan should address how multiple layers – overstory, understory, shrub and herbaceous layers – will be maintained to ensure the health and functionality of the vegetated open space.
4. The Concept Plan shows potential impact to wetlands in the proposed private street at the entrance of the development. The Applicant should demonstrate to Staff, the Planning Commission, and the Board of Supervisors how the potential impact to wetlands will be mitigated.
5. The Loudoun County Bicycle and Pedestrian Mobility Master Plan (BPMMP), Chapter 4(A), Roadway Planning and Design Policy, Walkway and Sidewalk Policy 2(a) (p. 31): "*Sidewalks in the Suburban Policy Area: Residential streets should have sidewalks with a **minimum width of five (5') feet**.* PRCS recommends that all internal sidewalks be a minimum of 5 feet. It is important to recognize that providing a wider width for sidewalks does not necessarily add to the safety of sidewalk bicycle travel. Utilizing or providing a sidewalk as a shared use path is unsatisfactory. Sidewalks are typically designed for pedestrian speeds and maneuverability and are not compatible with for higher speed bicycle use.
6. The Loudoun County Bicycle and Pedestrian Mobility Master Plan (BPMMP), Chapter 4(B) (p. 33), Land Development Policy 6: "All land development applications shall provide bicycle and pedestrian access through the development in various directions, so as to prevent it from becoming a barrier between other trip origins and destinations in the community." In addition, BPMMP Land Development Policy 7 (p. 33), "All land development applications shall provide a sufficient number of bicycle and pedestrian access points to ensure efficient connections to and from the various activity nodes within the development and linkages to existing or future adjacent developments." The applicant should demonstrate to Staff, the Planning Commission, and the Board of Supervisors how bicycle and pedestrian access to and through the development and connections to adjacent developments are being met,

including any connections to the Washington and Old Dominion (W&OD) Trail. PRCS recommends that the Concept Plan be revised to include a trail connection to Hall Road at the northern property corner.

7. The tot lot proposed along Grammercy Terrace near the eastern property line, is not centrally located, and will not adequately serve the residents of this development. In addition, there is no trail connection or pedestrian accessibility to the tot lot. PRCS recommends that the Applicant relocate the tot lot to the central open space area.
8. The tot lot in the "town green / civic space" is currently located very close to an intermittent stream and in the center of a wooded area. The location for the tot lot will need to be cleared to provide access and user safety and supervision.
9. In the northwestern corner of the property, the Applicant is currently proposing an 8' trail terminating into a 4' sidewalk. Staff recommends adjusting the trail to connect directly to the end of the private street.
10. The Concept Plan shows that the Applicant's is proposing to provide a "play field," while the Statement of Justification calls out a "multi-purpose field." The Revised 1993 Zoning Ordinance does not recognize play fields. In addition, the dimensions of the proposed play field are similar to the central open space. PRCS requests additional information on the proposed usage of the play field and open space area.
11. Staff acknowledges the Applicant's proposed foot bridges over the wetland areas within the "town green / civic space." Staff recommends that any section of the trail crossing wetlands be constructed as a raised boardwalk or bridge to limit the impact of the trail on the wetlands.

## **CONCLUSION:**

PRCS has identified above, several outstanding issues that require additional information to complete the review of this application.

If you have any questions or concerns regarding these comments, please do not hesitate to contact me personally via phone at 571-258-3251, or via e-mail at [brian.fuller@loudoun.gov](mailto:brian.fuller@loudoun.gov). You may also contact Mark Novak via phone at 703-737-8992, or via e-mail at [mark.novak@loudoun.gov](mailto:mark.novak@loudoun.gov). I look forward to attending any meetings or work sessions to offer PRCS support, or to be notified of any further information regarding this project.



**COUNTY OF LOUDOUN  
PARKS, RECREATION AND COMMUNITY SERVICES  
REFERRAL MEMORANDUM**

**To:** Michael Elabarger, Project Manager, Planning Department **(MSC #62)**  
**From:** Brian G. Fuller, Park Planner, Facilities Planning and Development  
**(MSC #78)**  
**Through:** Mark A. Novak, Chief Park Planner, Facilities Planning and  
Development  
**CC:** Diane Ryburn, Director  
Steve Torpy, Assistant Director  
Su Webb, Park Board, Chairman  
Jim Bonfils, Park Board, Dulles District  
**Date:** October 11, 2007

**Subject:** ZMAP 2006-0038, Townes at Autumn Oaks  
(2<sup>nd</sup> Submission - Revised)

**Election District:** Dulles      **Sub Planning Area:** Sterling

**MCPI #:** 034-40-3610, 034-40-6958, 034-40-8307, 034-30-2448, 034-39-9485  
and 034-39-8861

**BACKGROUND:**

The Properties are located north of Old Ox Road (Route 606), west of Oakgrove Road, south of the Washington and Old Dominion (W&OD) Trail, and at the end of Trefoil Lane in the Sterling subarea. The Properties consist of approximately 18.43 acres within the Suburban Policy Area and Dulles Election District. The Properties are currently zoned R-1, and were re-designated for High-Density Residential uses up to 10 dwelling units per acre pursuant to the Pearson Reserve CPAM on July 5, 2005. The Quarry Notification Overlay District (QNOD) also encumbers a portion of the Property area. The Applicant proposes to develop the Properties as a residential community, consisting of 132 single-family attached units, 17 of which are to be ADUs. The proposed density is approximately 7.16 dwelling units per acre, with associated infrastructure, and open space. To support this program, the Applicant seeks to rezone the Property from R-1 to PDH-6 (Planned Development Housing-6, administered as R-8) in accordance with the provisions of the Revised 1993 Loudoun County Zoning Ordinance. In addition, the Applicant seeks modifications to the Revised 1993 Loudoun County Zoning Ordinance for required minimum buffering.

After an initial 2<sup>nd</sup> Submission, the Applicant acquired and incorporated three adjoining parcels (approximately 6 additional acres) to the application, redesigned, and added 47 units (and 6 additional ADUs).

**COMMENTS:**

With respect to the Department of Parks, Recreation and Community Services (PRCS), Staff offers the following comments and recommendations:

**Comment 1:** No proffers were submitted with this application. Please provide proffers for review.

**Applicant Response:** *Acknowledged. Proffers are submitted with this response package.*

**Issue Status:** Resolved.

**Comment 2:** This project adds 132 single-family attached units and offers no contribution to public recreation. The Suburban Policy Area is presently experiencing, and will continue to experience significant residential development. Additional development from new rezoning and by-right developments will place recreational facilities in further jeopardy from a capacity perspective. Developers of other subarea residential projects indicate in their applications that the area is supported by existing and planned public facilities. However, residents from both by-right and rezoned subdivisions add a significant demand on existing recreation facilities which make it difficult to keep pace with respective service demands. This application alone will have an immediate impact on existing and planned public recreational facilities in the area. The applicant should demonstrate to Staff, the Planning Commission, and the Board of Supervisors how the recreational and leisure needs of these new residents will be met without further taxing the existing public recreational facilities in the Sterling area.

**Applicant Response:** *The proposed project incorporates a number of interesting and exciting recreational opportunities for its residents. In addition to having proximate access to the W&OD Trail, residents of the Townes at Autumn Oaks will enjoy a number of play fields and tot lots and a lengthy trail network. Please see the enclosed CDP for information about the recreational amenities to be provided with this development.*

**Issue Status:** Staff notes that only one play field is identified on the CDP, the comment response letter mentions “a number of play fields” and the Proffer Statement does not mention play fields at all. Staff recommends revising or explaining this discrepancy and requests additional information on the type and proposed use of the play fields.

The comment response letter mentions and the CDP shows two tot lots, while the Proffer Statement only mentions one. Staff recommends revising or explaining this discrepancy.

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In addition, Staff notes that while the proffers indicate the construction of “at least one (1) pavilion,” the CDP shows only one “possible location.” Staff recommends revising the CDP to reflect the pavilion as the only one, or revise to show multiple, potential locations. Staff also requests more information concerning the size and amenities included with the pavilion.

**Comment 3:** The Applicant is proposing to preserve the wetlands along the southern property boundary within open space, as a “town green / civic space.” Staff strongly supports any efforts to protect and preserve wetlands, trees, and native vegetation because these contribute directly to protecting the health of surface water, groundwater, air quality, and aesthetics – all of which contribute to the health of the community’s residents. Staff recommends that the open space have a Resource Management Plan that addresses the use, maintenance, target vegetation, wildlife management goals and methods, and other aspects of sustaining a functional and attractive natural, open space area. The management plan should also address how watershed protection is to be applied to ensure a healthy stream, diverse aquatic life, stable stream banks, and vibrant native vegetation. In addition, the management plan may also include opportunities and requirements for stream restoration. Staff also recommends that any substantial “tree save” area has a Forest Management Plan. The management plan should address how multiple layers – overstory, understory, shrub and herbaceous layers – will be maintained to ensure the health and functionality of the vegetated open space.

**Applicant Response:** *The Applicant is committed to creating the most attractive and usable open space within the permissible boundaries of the County, State and Federal regulations. As such, Applicant shall comply with any requirements at the time of site plan and will comply with any and all permitting requirements of the U.S. Army Corps of Engineers. Notwithstanding the foregoing requirements, the enclosed proffer statement includes information regarding tree conservation and wetlands mitigation impacts.*

**Issue Status:** Resolved.

**Comment 4:** The Concept Plan shows potential impact to wetlands in the proposed private street at the entrance of the development. The Applicant should demonstrate to Staff, the Planning Commission, and the Board of Supervisors how the potential impact to wetlands will be mitigated.

**Applicant Response:** *As stated above, Applicant shall comply with any U.S. Army Corps of Engineers requirements in connection with wetland impacts. Further, Applicant has incorporated a proffer regarding the order in which any wetlands impacts will be mitigated. Please see the enclosed proffers for further information.*

**Issue Status: Resolved.**

**Comment 5:** The Loudoun County Bicycle and Pedestrian Mobility Master Plan (BPMMP), Chapter 4(A), Roadway Planning and Design Policy, Walkway and Sidewalk Policy 2(a) (p. 31): “*Sidewalks in the Suburban Policy Area: Residential streets should have sidewalks with a **minimum width of five (5') feet**.*” PRCS recommends that all internal sidewalks be a minimum of 5 feet. It is important to recognize that providing a wider width for sidewalks does not necessarily add to the safety of sidewalk bicycle travel. Utilizing or providing a sidewalk as a shared use path is unsatisfactory. Sidewalks are typically designed for pedestrian speeds and maneuverability and are not compatible with for higher speed bicycle use.

**Applicant Response:** *Applicant shall include five foot sidewalks, as shown on the CDP.*

**Issue Status: Resolved.**

**Comment 6:** The Loudoun County Bicycle and Pedestrian Mobility Master Plan (BPMMP), Chapter 4(B) (p. 33), Land Development Policy 6: “All land development applications shall provide bicycle and pedestrian access through the development in various directions, so as to prevent it from becoming a barrier between other trip origins and destinations in the community.” In addition, BPMMP Land Development Policy 7 (p. 33), “All land development applications shall provide a sufficient number of bicycle and pedestrian access points to ensure efficient connections to and from the various activity nodes within the development and linkages to existing or future adjacent developments.” The applicant should demonstrate to Staff, the Planning Commission, and the Board of Supervisors how bicycle and pedestrian access to and through the development and connections to adjacent developments are being met, including any connections to the Washington and Old Dominion (W&OD) Trail. PRCS recommends that the Concept Plan be revised to include a trail connection to Hall Road at the northern property corner.

**Applicant Response:** *Applicant submits that it is providing ample bicycle and pedestrian access to and through the Property as shown on Sheet 5 of the CDP. Further, Applicant has proposed sidewalk and trail connections with the adjacent communities as shown on Sheet 5 of the CDP. Finally, a trail connection to Hall Road (as well as the reserved right-of-way for the extension of Hall Road) is shown on the enclosed CDP.*

**Issue Status:** Sheet 5 of the CDP identifies the trails as either 6' or 8'. Comprehensive Planning Staff has identified that the adjacent development, Brooks Assemblage, has a 6' wide trail. PRCS is in agreement that providing 6' trails would be adequate and consistent.



In addition, the trail connection to Hall Road appears to be a sidewalk. Staff recommends upgrading this facility to a 6' asphalt trail, and revising the graphic delineation accordingly. Staff recommends that if the Applicant is unable to obtain permission from the adjacent property owner for a connection to their trail system, then the proposed connection should at least be extended to the proposed Hall Road Right-of-Way (R-O-W) that adjoins the subject property. Please revise the CDP accordingly.

**Comment 7:** The tot lot proposed along Grammercy Terrace near the eastern property line, is not centrally located, and will not adequately serve the residents of this development. In addition, there is no trail connection or pedestrian accessibility to the tot lot. PRCS recommends that the Applicant relocate the tot lot to the central open space area.

**Applicant Response:** *The tot lot referenced by Staff is intended to serve the residents of the Property as well as residents of the adjacent Encore at Oak Grove community. When the community is viewed as a whole, Applicant believes that the tot lot referenced is centrally located.*

**Issue Status:** Staff initially believed that the referenced tot lot would be for the immediate community needs only. While Staff applauds the Applicant's efforts to provide facility for a wider use, the tot lot must serve this community first. Therefore, the tot lot is still not centrally located. Please revise the CDP accordingly.

**Comment 8:** The tot lot in the "town green / civic space" is currently located very close to an intermittent stream and in the center of a wooded area. The location for the tot lot will need to be cleared to provide access and user safety and supervision.

**Applicant Response:** *Applicant has investigated the "intermittent stream" references and found it to [be] a man-made ditch that will fill with rainwater after a heavy storm. Once this area is properly graded, Applicant believes that this won't be deemed an intermittent stream. Applicant understands that it will need to properly develop the property in order to provide a safe and usable tot lot.*

**Issue Status:** Resolved.

**Comment 9:** In the northwestern corner of the property, the Applicant is currently proposing an 8' trail terminating into a 4' sidewalk. Staff recommends adjusting the trail to connect directly to the end of the private street.

**Applicant Response:** *Acknowledged and revised accordingly.*

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✓

**Issue Status:** Staff notes that the CDP was revised, but to show a continuous 5' sidewalk, per the Legend on Sheet 5. Staff recommends revising the CDP to upgrade this facility to a 6' asphalt trail, for the sake of consistency.

**Comment 10:** The Concept Plan shows that the Applicant's is proposing to provide a "play field," while the Statement of Justification calls out a "multi-purpose field." The Revised 1993 Zoning Ordinance does not recognize play fields. In addition, the dimensions of the proposed play field are similar to the central open space. PRCS requests additional information on the proposed usage of the play field and open space area.

**Applicant Response:** *Applicant is proposing an open play field that can be used for a variety of different uses.*

**Issue Status:** It appears to Staff that the proposed play field is nothing more than a re-labeled open space parcel. Staff requests additional, detailed information on the "variety of different uses." Does the Applicant intend for the play field to be used for structured, public recreational activities? If so, the recreational facility should be dimensioned and constructed to standards listed in the draft 2007 Loudoun County Parks, Recreation and Community Services Design and Construction Standards Manual.

**Comment 11:** Staff acknowledges the Applicant's proposed foot bridges over the wetland areas within the "town green / civic space." Staff recommends that any section of the trail crossing wetlands be constructed as a raised boardwalk or bridge to limit the impact of the trail on the wetlands.

**Applicant Response:** *Acknowledged.*

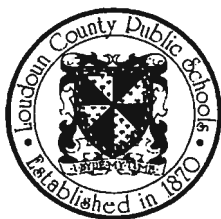
**Issue Status:** Resolved with proposed Proffer IV.

## **CONCLUSION:**

There are still outstanding issues that require additional information to complete the review of this application, specifically Comments 2, 6, 7, 9, and 10. Once these issues have been addressed, PRCS would not be in objection to a favorable recommendation on this application as presented.

If you have any questions or concerns regarding these comments, please do not hesitate to contact me personally via phone at 571-258-3251, or via e-mail at [brian.fuller@loudoun.gov](mailto:brian.fuller@loudoun.gov). You may also contact Mark Novak via phone at 703-737-8992, or via e-mail at [mark.novak@loudoun.gov](mailto:mark.novak@loudoun.gov). I look forward to attending any meetings or work sessions to offer PRCS support, or to be notified of any further information regarding this project.

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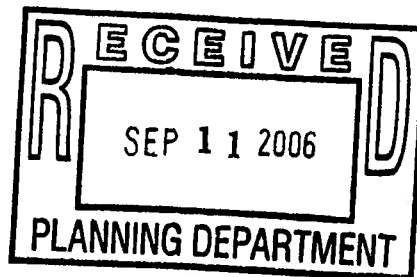


## LOUDOUN COUNTY PUBLIC SCHOOLS PLANNING AND LEGISLATIVE SERVICES

21000 Education Court  
Ashburn, Virginia 20148  
Telephone: 571-252-1050  
Facsimile: 571-252-1101

September 8, 2006

Mr. Mike Elabarger  
County of Loudoun  
Department of Planning  
1 Harrison Street, SE  
Post Office Box 7000  
Leesburg, Virginia 20177



RE: ZMAP 2005-0038/The Townes at Autumn Oaks

Dear Mr. Elabarger:

School Board staff has reviewed the zoning map amendment for The Townes at Autumn Oaks. Based on the 2005 Virginia-County of Loudoun School Census, the proposed 132 single family attached units will generate a total of 63 school-age children: 32 elementary school-age children (grades K-5), 14 middle school-age children (grades 6-8), and 17 high school-age children (grades 9-12).

New students generate substantial operational and capital expenses. The escalating costs are evident in the County's operational and capital budgets. The ***School Board Adopted FY 2007 through FY 2012 Capital Improvements Program*** and the ***School Board Adopted FY 2007 Operating Budgets*** underscore the financial effects that student growth has on Loudoun County. Approval of The Townes at Autumn Oaks rezoning application will generate the following operating and capital expenses (see attached chart):

- Capital costs for the development's elementary school students will be \$831,269;
- capital costs for the development's middle school students will be \$450,904;
- capital costs for the development's high school students will be \$789,367; and
- the annual operating costs for the 63 students projected with the application are estimated to be \$784,980.

The total estimated capital costs of \$2,071,540 and the annual operational costs estimated at \$784,980 will be needed to fund the educational services for The Townes at Autumn Oaks alone. The School Board is cognizant that these projected costs do not reflect anticipated revenues from real estate taxes, personal property taxes, and sales taxes. Nevertheless, the financial costs of all residential rezonings are not only significant, but also generate ongoing expenses that will continue to increase with the passage of time.

Mr. Mike Elabarger  
ZMAP 2005-0038/The Townes at Autumn Oaks  
September 8, 2006  
Page Two

A review of currently approved development suggests that Loudoun County Public Schools can anticipate more than 22,000 additional students over the next six years. This calculation does not embody children who are currently being served by Loudoun County Public Schools, nor does it include future potential students from by-right developments. The current Capital Improvements Program has utilized all proffered school sites. Projected enrollment growth will surpass all potentially available future capacity that is embodied in existing proffers. Children from currently approved developments will more than fill the area schools. New rezonings and by-right developments will place schools in further jeopardy from a capacity perspective.

As current capital facility proffer calculations indicate that public schools account for approximately 80 percent of Loudoun's estimated capital costs, a proportionate share of The Townes at Autumn Oaks capital facilities contribution should be set aside for public school capital projects in the area. This designation should be noted within the Capital Facilities Contribution proffer statement (or other appropriate documentation) for The Townes at Autumn Oaks.

And finally, safe walking paths remain an important concern for the School Board, staff, and parents of the children who attend our schools. The lack of safe walking paths for students within subdivisions creates a growing safety hazard and will increase operational costs. In all rural areas of Loudoun, each house becomes a bus stop. Similar circumstances are emerging in the county's new subdivisions. Students that live within a school's walk zone must be transported to school because there are either no sidewalks or sidewalks are only constructed on one side of the street. Should new subdivisions contain sidewalks on both sides of the street, children could safely walk to a bus stop or school. Sidewalks not only increase operational efficiency, but ultimately mean less time on the school bus for Loudoun's children. In order to ensure that students residing within The Townes at Autumn Oaks can safely walk to and from school bus stop locations, pedestrian walkways should be provided and allow for public access easements.

The Loudoun County School Board is extremely concerned about all land development applications. Both capital facility expenditures and operational costs are significantly impacted by each approved residential project, and both can be anticipated to increase with each additional school-age child that resides in Loudoun County. Should you require any further information, please contact me at your earliest convenience.

Sincerely,

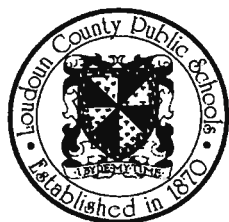


Sam Adamo, Director

Attachment

c: Edgar B. Hatrick, Division Superintendent  
Loudoun County School Board  
(Site Location: Dulles Election District)

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# Loudoun County Public Schools

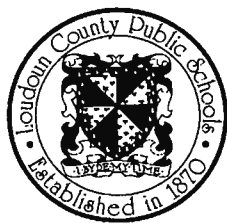
Department of Planning and Legislative Services

## Project Assessment

**Project Name: ZMAP 2005-0038/The Townes at Autumn Oaks**

2005 Virginia-County of Loudoun School Census Student Generation Factors		Housing Units	Elementary School Student Generation	Middle School Student Generation	High School Student Generation	Student Generation Total
Single Family Detached (SFD)	0.83	0	0	0	0	0
Single Family Attached (SFA)	0.47	132	32	14	17	63
Multifamily (MF)	0.28	0	0	0	0	0
<b>Total Students</b>		<b>132</b>	<b>32</b>	<b>14</b>	<b>17</b>	<b>63</b>
Capital Costs			Elementary School Cost (FY 2007 CIP)	Middle School Cost (FY 2007 CIP)	High School Cost (FY 2007 CIP)	Total Capital Expenditure
School Cost			\$22,730,000	\$43,480,000	\$83,580,000	
Capacity			875	1,350	1,800	
Per Pupil Cost			\$25,977	\$32,207	\$46,433	
<b>Project's Capital Costs</b>			<b>\$831,269</b>	<b>\$450,904</b>	<b>\$789,367</b>	<b>\$2,071,540</b>
Annual Operational Costs			FY 2007 Estimated Per Pupil Cost	Student Generation Total	Annual Operational Costs	
			\$12,460	63	\$784,980	
School Facility Information			Elementary School (Grades K-5)	Middle School (Grades 6-8)	High School (Grades 9-12)	
2006-07 School Attendance Zone			Forest Grove	Sterling	Park View	
September 30, 2005 Student Enrollment			580	876	1293	
2005-06 Building Program Capacity			661	1069	1445	

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# Loudoun County Public Schools

Department of Planning and Legislative Services

## Project Assessment

**Project Name: ZMAP 2005-0038/The Townes at Autumn Oaks**

### 2005 Virginia-County of Loudoun School Census Student Generation Factors

		Housing Units	Elementary School Student Generation	Middle School Student Generation	High School Student Generation	Student Generation Total
Single Family Detached (SFD)	0.83	0	0	0	0	0
Single Family Attached (SFA)	0.47	179	43	19	23	85
Multifamily (MF)	0.28	0	0	0	0	0
<b>Total Students</b>		<b>179</b>	<b>43</b>	<b>19</b>	<b>23</b>	<b>85</b>

### Capital Costs

	Elementary School Cost (FY 2008 CIP)	Middle School Cost (FY 2008 CIP)	High School Cost (FY 2008 CIP)	Total Capital Expenditure
School Cost	\$25,276,000	\$46,620,000	\$93,818,000	
Capacity	875	1,350	1,800	
Per Pupil Cost	\$28,887	\$34,533	\$52,121	
<b>Project's Capital Costs</b>	<b>\$1,242,135</b>	<b>\$656,133</b>	<b>\$1,198,786</b>	<b>\$3,097,054</b>

### Annual Operational Costs

FY 2008 Estimated Per Pupil Cost	Student Generation Total	Annual Operational Costs
\$13,490	85	\$1,146,650

### School Facility Information

	Elementary School (Grades K-5)	Middle School (Grades 6-8)	High School (Grades 9-12)
2007-08 School Attendance Zone	Forest Grove	Sterling	Park View
September 28, 2007 Student Enrollment	543	881	1288
2007-08 Building Program Capacity	593	1114	1400

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# MEMORANDUM

## OFFICE OF THE COUNTY ATTORNEY LOUDOUN COUNTY, VIRGINIA

DATE: July 23, 2007

TO: Mike Elabarger, Department of Planning

FROM: Lawrence E. Kelly, Assistant County Attorney

SUBJECT: ZMAP 2005-0038: The Townes at Autumn Oaks

FILE #: 11-04-448

As requested, I have reviewed the draft proffers, dated July 3, 2007, for the above referenced Zoning Map Amendment application. Pursuant to this review, I offer the following comments:

1. In regard to the preamble, in the third line thereof, I note that Loudoun Reserve, L.C. and Smith Loudoun, L.C. are identified as the "Applicant" or "Property Owner". By this it appears that these two entities own each of the parcels jointly, but it is not clear. I suggest that this be clarified. In addition, I suggest that it be clarified what role The Peterson Companies, L.C. play in this application, as they have been added as a signatory but no reason for this has been identified in the preamble.
2. In further regard to the preamble, I note that the applicant has identified a number of sections of the Zoning Ordinance that they wish to modify, but have not included those in Exhibit A, which is just a blank sheet identified as the requested Zoning Modifications. I suggest that the list of requested modifications be provided for review. I also suggest that the second paragraph of the preamble be amended to actually reference Exhibit A.
3. In regard to proffer I., in the third line thereof, I suggest that the phrase "Rezoning Application plans" be changed to "Zoning Map Amendment Plan" in order to match what is actually stated on the cover sheet of the plan set.
4. In regard to proffer II., in the second line thereof, the applicant has referenced "related privately-owned community facilities and amenities" without identifying

what those will be. I suggest that the applicant's intent in regard to the provision of community owned facilities and amenities be specified. I do note that there is a "play field" shown on the Concept Plan. I suggest that the minimum size of the play field be specified.

5. In regard to proffer III., which concerns Zoning Modifications, I note that the applicant has stated that they "shall be granted" zoning modifications. I suggest that this statement be changed to indicate that the applicant "has requested certain zoning modifications, as expressed in Exhibit A and, if granted, the applicant shall adhere to such modified standards".
6. In further regard to proffer III., concerning how some of the modifications are expressed, it is not clear whether the applicant is seeking a blanket modification, or a modification applicable to certain areas of the development. Specifically, the request to allow buildings to penetrate the building height limitation plane and the request to replace planting requirement for a Type IV buffer by the retention of the existing vegetation. I suggest that these be clarified.
7. In regard to proffer IV., in the first line thereof, I suggest that the phrase "including a tot lot" be changed to "including two tot lots", as the Concept Plan shows two tot lots.
8. In further regard to proffer IV., in the second paragraph thereof, the applicant refers to two benches in the southwest corner of the site and a pavilion "in the locations(s) shown on the CDP". However, I do not see where the benches are shown on the CDP. I suggest that this be clarified. I also suggest that a timing mechanism for the provision of these items be specified.
9. In further regard to proffer IV., in the second line of the third paragraph thereof, the applicant refers to "the planned trail systems". However, nowhere in the proffers is there any mention of the provision of a trail system or systems. I suggest that the applicant's intent be clarified.
10. In regard to proffer V., in the second through fourth lines thereof, I suggest that the parenthetical be deleted.
11. In regard to proffer VI., in the eighth line thereof, I suggest that the reference to single family detached dwelling units be deleted, as there are no such units to be constructed in this development.
12. In further regard to proffer VI., in the twelfth line thereof, I suggest that the phrase "fire and/or rescue services to the Property are no longer provided by an incorporated volunteer company" be changed to "fire and rescue services to the



Property are no longer provided by incorporated volunteer companies”.

13. In regard to proffer VII.C., in the fourth through seventh lines thereof, I suggest that the whole second sentence of the proffer, beginning with the phrase “Despite the fact”, be deleted.
14. In regard to proffer VIII.A.1., in the second line thereof, I suggest that the phrase “as Approximate Tree Save Area” be inserted following the phrase “shown on the Concept Development Plan”.
15. In regard to proffer VIII.A.2., in the fourth line thereof, the applicant refers to trees of 8-inch caliper of greater. However, on the Concept Plan there is a reference to “specimen trees”. I suggest that the applicant clarify whether the 8-caliper trees are what are considered to be specimen trees or, if not, that the applicant clarify their intent in regard to the preservation of the specimen trees.
16. In further regard to proffer VIII.A.2., in the seventh and eighth lines thereof, I note that the applicant indicates that if they have to remove trees they proffered to save, that they shall replace them in a location to be determined by the applicant’s certified arborist. I suggest that this be changed to state that the trees will be placed in the same general location as those removed, unless otherwise directed by the County.
17. In regard to proffers IX.B. and IX.C., I suggest that the applicant clarify their intent in regard to attempting to incorporate this project into an existing HOA. I suggest that consideration be given to adding provisions to proffer IX.B. that indicate that as an alternative to creating a new homeowners association, the applicant may seek to have the Property incorporated into an existing homeowners association, but that such incorporation can only occur if the existing homeowners association agrees to accept all responsibilities that would otherwise be the requirement of a new homeowners association established pursuant to proffer IX.A. In regard to proffer IX.C., in the second line thereof, I suggest that the phrase “whichever is first in time” be inserted following the phrase “for the Property”.
18. In regard to proffer XII., I suggest that the base year be changed to 2007, with the escalation to commence on January 1 of 2008.
19. These proffers will need to be signed by all landowners, and be notarized, prior to the public hearing on this application before the Board of Supervisors.



**County of Loudoun**  
**Department of Planning**

**MEMORANDUM**

**DATE:** October 16, 2007

**TO:** Mike Elabarger, Project Manager  
Land Use Review

**FROM:** Michael "Miguel" Salinas, Senior Planner  
Community Planning

**SUBJECT: ZMAP 2005-0038, The Townes at Autumn Oaks, Supplemental Referral**

**BACKGROUND**

On September 18, 2007, the Board of Supervisors approved an amendment to the Housing Policies contained within the Revised General Plan (CPAM 2007-0001). The purpose of the amendment was to broaden and update countywide housing policies. The amendment established that the County's primary housing objective was to assure that existing and future County residents and the workforce are served by a range of housing opportunities. The amendment also clarified the County's continuum of housing needs while providing direction to program initiatives (Revised General Plan, text, p. 2-12).

The housing policies recognize that unmet housing needs occur across a broad segment of the County's income spectrum and the County seeks to promote housing options for all people who live and/or work in Loudoun County. Unmet housing needs are defined as the lack of housing options for households earning up to 100% of the Washington Metropolitan Area Median Income (AMI) (Revised General Plan, Glossary, p. G-1). Therefore, developers of residential and mixed-use projects are encouraged to include funding commitments and proffers to fulfill unmet housing needs in their development proposals (Revised General Plan, Funding Policy 1, p. 2-14).

The requested rezoning by The Peterson Companies (the "applicant") to rezone approximately 24.95 acres (the "subject site") from R-1 (Single Family Residential) to PD-H6 (Planned Development – Housing), administered as R-8, would allow up to 179 single-family attached (SFA) homes at a residential density of approximately 7 units per acre. The Draft Proffer Statement and Sheet 5 of the CDP show that, of the maximum 179 multi-family dwelling units proposed, the applicant will provide 23 Affordable Dwelling Units (ADU's). The applicant's commitment to the number of ADU's is consistent with the requirements of the Revised 1993 Zoning Ordinance whereby twelve and one half percent (12.5%) of the total number of dwelling units, or 23 units, are set-aside as affordable dwellings to fulfill the housing needs of County residents with incomes ranging from 30% to 70% of the AMI.

A-95

Staff is supportive of the applicant's willingness to commit to unmet housing needs for a certain segment of the population. In addition to the requirements of the ADU ordinance, however, County housing policies focus on the unmet housing needs of households within a broader range of the income spectrum, defined as those earning up to 100% of the AMI (*Revised General Plan, Guiding Principles Policy 2, p. 2-14*). Furthermore, the County encourages each development proposal to include a residential component that addresses the largest segment of unmet housing needs – those with incomes below 30% of the AMI (*Revised General Plan, Guiding Principles Policy 14, p. 2-14*).

#### **RECOMMENDATION**

***Staff recommends the applicant provide a commitment that addresses the full spectrum of unmet housing needs up to 100% of the AMI.***

Staff is available to meet with the applicant to discuss these issues.

cc: Julie Pastor, AICP, Planning Director  
Cindy Keegan, AICP, Community Planning Program Manager  
Sarah Coyle Etro, AICP, Housing Policy Manager